



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**CWP-6443-2024 (O&M)
Date of Decision: 29.10.2025**

Capt. Vinod Chaudhri

....Petitioner

Versus

Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Petitioner in person.

Ms. Bhavana Datta, Senior Panel Counsel
for respondent – UOI.

Harsimran Singh Sethi, J. (Oral)

1. The present petition has been filed challenging the order dated 04.01.2024 (Annexure P-1) passed by respondent No.4 – Armed Forces Tribunal, Regional Bench Chandigarh at Chandimandir, by which, the claim of the release of the benefit of service element on account of active service rendered in Indo-Pak war in 1965 as well as Bangladesh liberation in 1971-1972 (7 years and 128 days) from 19.09.1974 along with the consequential benefits accrued to the petitioner on account of One Rank One Pension (OROP) scheme, was denied.
2. The learned counsel appearing on behalf of respondent – Union of India submits that the issue has been examined again and the benefit/claim has been allowed in favour of the petitioner and a revised pension payment



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order has already been issued on 30.05.2025 increasing the pension of the petitioner.

3. The petitioner who appears in person submits that though the benefit has been granted but no interest on the arrears which are admissible has been extended, which prayer should be considered by this Court.

4. Learned counsel for the respondent – UOI submits that once the benefit has been granted, the claim of interest at the hands of the petitioner may kindly be rejected.

5. We have heard the petitioner as well as the learned counsel for respondent – UOI and have gone through the record with their able assistance.

6. As per the judgment of the Single Bench of this Court in **J.S. Cheema Vs. State of Haryana, 2014(13) RCR (Civil) 355**, wherein it has been held that where an amount belonging to an employee, has been retained and used by the department, upon the release of the said amount, on a later date, the interest has to be given. The relevant paragraph of J.S. Cheema's case (supra) is as under: -

“The jurisprudential basis for grant of interest is the fact that one person's money has been used by somebody else. It is in that sense rent for the usage of money. If the user is compounded by any negligence on the part of the person with whom the money is lying it may result in higher rate because then it can also include the component of damages (in the form of interest). In the circumstances, even if there is no negligence on the part of the State it cannot be denied that money which rightly belonged to the petitioner was in the custody of the State and was being used by it.”

7. In the present case, once the respondents themselves have



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conceded the entitlement of the petitioner and granted the same, on arrears admissible on account of the revised pension payment order, the petitioner is also entitled for interest @ 6% per annum from the date the said benefit accrues till the actual payment.

8. The petitioner further submits that there are certain mistakes in the PPO and the petitioner be allowed the liberty to point out the same to the authorities for the correction of the same by way of representation.

9. Learned counsel for the respondent – UOI submits that any representation received in this regard shall be duly considered and decided within a period of eight weeks and whatever needs shall be rectified accordingly.

10. Disposed of accordingly.

11. Pending applications, if any, also stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

October 29, 2025

Varinder

Whether speaking/reasoned : Yes

Whether reportable : No