

LPA-1399-2019 (O&M)

2025:PHHC:041852-DB



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

**LPA-1399-2019 (O&M)
Date of Decision: March 24, 2025**

Renu Bala

.....Appellant

Versus

Punjabi University, Patiala and others

.....Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Surinder Garg, Advocate for the appellant.

Mr. Abhishek Kaushik, Advocate for
Mr. Vipul Jindal, Advocate for respondents No. 1 and 2.

LISA GILL, J.

1. Prayer in this appeal is for setting aside order dated 21.01.2019 passed in CM-591-CWP-2019 in CWP-24274-2014. Prayer in said application is for interest to be granted to appellant w.e.f. date of her entitlement instead of date of filing of writ petition.

2. Brief facts necessary for adjudication of the matter are that appellant (writ petitioner) filed CWP-24274-2014 seeking release of service benefits of her husband namely Mr. Parshotam Dass Aggarwal, who unfortunately passed away on 26.09.2011, on the basis of his last pay drawn

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i.e. Rs.55,440/- instead of Rs.29,580/- which had been the basis of calculation by the Department. Learned writ Court directed payment of interest at the rate of 9% per annum from the date of filing of petition till actual payment within a period of two months from the date of certified copy of order. LPA-1769-2018 seeking interest from the date of entitlement was withdrawn on 17.12.2018 with liberty to file appropriate application before learned Single Judge for the said grievance. Accordingly, CM-591-CWP-2019 was filed by appellant seeking modification of order dated 28.09.2018 to the extent that interest should be awarded from the date of accrual of benefit. Learned Single Bench dismissed the application while observing that Court had granted relief as considered appropriate on 28.09.2018 and there being no factual error in the impugned order, no modification thereof was called for. Aggrieved therefrom, present appeal has been filed.

3. It is a matter of record that main relief claimed in the writ petition was rendered infructuous and interest at the rate of 9% per annum from date of filing of instant petition till actual payment was directed vide order dated 28.09.2018. Respondent – Department sought to shift the blame for delayed payment upon the office of Deputy Controller, Local Audit who it is stated had raised objections at the time of audit of Accounts of Panjabi University. However, as per reply filed on behalf of Accountant General, it is specifically stated that its office neither conducted any audit of the office where deceased official was serving nor any objection was raised by it. Said office, it is stated, has no concern with audit function of the concerned Department.

4. It is a matter of record that appellant was entitled to service benefits of her husband who had passed away on 26.09.2011 on the basis of

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last pay drawn which was Rs.55,440/-. Legitimate dues were withheld by the Department while releasing the benefits on the basis of Rs. 29,580/-.

5. In the given facts and circumstances, learned counsel for respondents is unable to point out any ground whatsoever for not directing payment of interest from the date of accrual of benefits for the remaining period till filing of writ petition. Date of death of appellant's husband is 26.09.2011, therefore, it is held that appellant is also entitled to interest on the difference in amount in question from 26.11.2011 till filing of writ petition i.e. 17.11.2014 at the rate of 6% per annum. Amount in question be released to appellant within four weeks of receipt of certified copy of this order.

6. Appeal is, accordingly, disposed of.

(LISA GILL)
JUDGE

March 24, 2025
Rts

(ALOK JAIN)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No