



CWP-11280-2021 (O&M)

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

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CWP-11280-2021 (O&M)
Date of decision: 23.01.2025

Harinderjit Kaur

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- None for the petitioner.

Ms. Shruti, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to release the arrears of pay and allowances along with the interest.

2. The only premise in the written statement for not releasing the amounts due to the petitioner in time being the same having not been timely prepared by the then dealing hand/Clerk Mr. Jatinder Kumar and the then Child Development Project Officer, cannot be said to be any plausible justification, depriving the petitioner of the what he was legally entitled to receive. Thus, he is entitled to interest which is not penalty, rather compensation, the respondents having benefited therefrom.

3. Hon'ble the Supreme Court in the case of **The State of Andhra Pradesh and another vs. Smt. Dinavahi Lakshmi Kameswari, SLP (C)** No.12553 of 2020, decided on 08.02.2021, wherein on account of deferred salaries



and pensions, interest at the rate of 6% per annum was granted, reduced the same from 12% as granted by the High Court.

4. In **A.S. Randhawa vs. State of Punjab and others¹**, **Vijay L. Mehrotra vs. State of UP²** and **J.S. Cheema vs. State of Haryana³** it was held that indisputably a retiree is entitled to compensation for delayed payments, most equitably addressed through interest on the due amount from the date of superannuation, particularly when no valid justification for the delay exists, emphasizing that the retirement of a government employee triggers an immediate entitlement to pension and related benefits, placing a statutory obligation on the State to ensure disbursement within a reasonable timeframe, typically no longer than two months. Failure to do so entitles the retiree to compensation via interest and the Court likened such interest to “rent for the usage of money” that rightfully belonged to the petitioner but was unjustly retained and utilized by the State.

5. In view of the afore, the present petition stands disposed of by directing the respondents to pay the interest to the petitioner at the rate of 6% per annum on amounts from the date it becomes due till actual date of payment. Needful be done within a period of three months.

(AMAN CHAUDHARY)
JUDGE

23.01.2025
ashok

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

¹ 1997(3) SCT 468
² 2001 (9) SCC 687
³ 2014(13) RCR (Civil) 355