

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

2025:PHHC:061244



(237)

CWP-19740-2022

Date of Decision: 08.05.2025

Om Parkash (ALM Retd.)

--Petitioner

Versus

Punjab State Power Corporation Ltd. & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA.

Present:- Mr. H.K. Brinda, Advocate for the petitioner.

Mr. Dhruv Walia, Advocate for respondents
no.1 to 4.

DEEPINDER SINGH NALWA.J (Oral)

1. In the present writ petition, the petitioner is praying for grant of 18% interest on the amount released to him while taking into consideration the work charge period as a qualifying service for the purpose of retiral benefits by the respondents in terms of order dated 05.04.2019 (Annexure P-2) passed by this Court in CWP-9193-2019.

2. Brief facts of the case are that the petitioner retired from service on attaining the age of superannuation on 31.03.2012 while working on the post of ALM D/S Sub Division No.2 from the respondent-Corporation. It transpires that the respondents had released the retiral benefits to the petitioner on the basis of his regular service w.e.f. 06.07.1999 ignoring his service rendered from 17.02.1987 till 06.07.1999 i.e. period of service rendered by him on work charge basis before his regularization. As the work charge service rendered by the petitioner was not taken into consideration for the purpose of retiral benefits, petitioner filed CWP-9193-2019 in this Court. The said writ petition was disposed of by this Court

vide order dated 05.04.2019 (Annexure P-2).

3. A perusal of the order dated 05.04.2019 (Annexure P-2) passed by this Court would show that in case, petitioner was found entitled for any monetary benefit after the decision of the legal notice served by him, the same should be paid to him three months thereafter. It was also observed in the order that as the petitioner had retired in the year 2012 and the legal notice was served by him after a period of 7 years, in case the petitioner was found entitled for the relief as claimed in the legal notice, the arrears will be restricted only to three years two months before filing of that writ petition.

4. In pursuance to the order passed by this Court on 05.04.2019 (Annexure P-2), the retiral benefits of the petitioner have been released on 11.10.2019.

5. Learned counsel appearing on behalf of the petitioner submits that as the benefit of retiral benefits was released after inordinate delay, the petitioner is also entitled for grant of interest on delayed payment of retiral benefits.

6. Learned counsel appearing on behalf of respondents submits that petitioner is not entitled for grant of interest as the petitioner approached this Court after inordinate delay.

7. I have heard learned counsel for the parties at length and have gone through the record of the case carefully.

8. A perusal of the facts of the present case would show that the direction was given by this Court vide order dated 05.04.2019 (Annexure P-2) that if petitioner was found entitled for retiral benefits as claimed in the legal notice, the same were to be restricted only to three years two months before filing of CWP-9193-2019. In terms of the order passed by this Court, the petitioner was held entitled for grant of retiral benefits as

claimed by him in his legal notice and the same were released to the petitioner by the respondents. In view of the above, the petitioner would be entitled for grant of interest @ 7% on amount of his retiral benefits from three years two months before filing of CWP-9193-2019 till actual realization of the amount. The above said interest on the delayed amount of payment of retiral benefits be released to the petitioner within a period of 8 weeks from the date of receipt of a certified copy of this order.

9. The petition is disposed of in the above terms.

08.05.2025

lucky

**(DEEPINDER SINGH NALWA)
JUDGE**

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No