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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA-2308-2025 (O&M)
Date of Decision: 6th August, 2025

ISHWAR SINGH ***…….Appellant(s)***

V/s.

GOVERNMENT OF INDIA AND OTHERS ***......Respondent(s)***

CORAM: ***HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA***
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present Mr. S.K. Rattan, Advocate, for the appellant.

Mr. S.K. Sharma, Senior Panel Counsel,
for the respondents-UOI.

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ASHWANI KUMAR MISHRA, J. (Oral)

CM-5822-LPA-2025

Delay of 303 days in filing of the appeal has been satisfactorily explained. Accordingly, application is allowed and delay of 303 days in filing the appeal is condoned.

LPA-2308-2025 (O&M)

1. This Appeal is by the appellant assailing order dated 05.09.2024 passed by the learned Single Bench in CWP-15657-2024 whereby the appellant was granted interest @ 9% on delayed payment of revised pension and other pensionary benefits w.e.f. 31.01.2024

2. The appellant had filed the Writ Petition raising a grievance with regard to the delayed payment on revised pension. Interest was also claimed on such delayed payment. The claim of the appellant has been dealt with by learned Single Bench vide the impugned order, while observing as under:-

> *"2. In compliance of the order dated 11.07.2024, the respondents have filed the affidavit demonstrating the payment released to the petitioner. Para 5 of the affidavit reads as under:*

> *"That from the above it is clear that respondents have issued the necessary revised PPO in 2017 itself which was received by the petitioner but somehow the payments may not be released for which the respondents are not aware it is only in 2024 after seven years the petitioner inform the department and the same has been credited into his bank account without any delay and thus no fault is found on the part of the department, therefore, the present petition may kindly be dismissed being infructuous in the interest of justice."*

3. Learned counsel for the petitioner has further prayed that the petitioner is entitled to interest on the amounts released in May 2024 and July 2024. Although a perusal of the above affidavit demonstrates that the payments had been made before the order dated 11.07.2024, in fact, coincidentally this petition was itself filed on 08.07.2024. The petitioner did not raise any claim for 07 long years and for the first time approached the authorities on 31.01.2024. However, the authorities have very fairly admitted in their reply that the payments were not released as they were not aware of the fact and there was no representation by the petitioner himself for 07 long years. Although to put the matter to rest, counsel for the petitioner submits that the petitioner may be granted some interest from 31.01.2024 i.e. the date he filed the representation till the date of actual payment.

4. In light of the above, the ends of justice would be met if the petitioner is granted interest against the revised pension released vide PPO dated 28.05.2024. Difference in Commutation, Difference in DCRG and pension arrears released on 09.07.2024 as per affidavit dated 13.08.2024 for the period 31.01.2024 to 09.07.2024. In addition to the delayed payment so received by the petitioner, interest @ 9% per annum from the due date i.e. 31.01.2024 to actual date of payment shall be paid by the respondents within three months from the date of passing of this order."

3. Learned counsel for the appellant submits that once the pension was revised in the year 2017, there was no reason as to why such revised pension was not released to the appellant till January 2024.

4. Learned counsel for the respondents, on the other hand, submits that the appellant never informed the authorities that despite the issuance of revised PPO, his revised pension was not released.

5. Perusal of the record would indicate that it was only on 31.01.2024 that the appellant informed the authorities that his revised pension was not credited to his account. Immediately after such grievance was raised by the appellant, revised pension has been released to him. The appellant therefore cannot entirely be blamed for the delayed release of revised pension inasmuch as the authorities are justified in stating that at least an information to them was necessary with regard to non-disbursal of the revised pension in his account. This is so as the revised PPO has already issued.

6. In such view of the matter, we do find any reason to interfere in this Appeal and the same is accordingly ***dismissed***. However, interest which has been awarded to the appellant by the learned Single Bench, shall be credited to his account, within a period of three month.

7. All pending applications in this case are disposed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

August 6, 2025
Ess Kay

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