228 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-30261-2024 (O&M)
Date of Decision: 01.12.2025

UNION OF INDIA AND ORS ... PETITIONERS
V/S
DALJIT SINGH AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present: Mr. Ashish Chaudhary, Advocate,
for the petitioners.

Mr. Sandeep Siwatch, Advocate,
for respondent No.1 (through V.C.).

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HARSIMRAN SINGH SETHI, J. (ORAL)

In the present petition, the only challenge raised is with regard to the order dated 21.05.2024 (Annexure P-8), passed by CAT, Chandigarh Bench by which the pensionary benefits which were released after a delay, have been allowed interest @ 6% per annum in execution application no.MA/991/2018.

Learned counsel appearing on behalf of the petitioners argues that the dispute in the present case is only with regard to the release of the difference of the commuted pension, which became liable to be paid upon the revision of the salary of the officer concerned and, therefore, on the said amount, the interest should not have been paid as communication is not retiral benefit and that is just unfare provision.

We have heard learned counsel for the parties and have gone through the record with their able assistance.

It is a settled principle of law that in case any pensionary benefits for which an employee is entitled for, is not released within a period of two months from their retirement date, the employee becomes entitled to be considered with the grant of interest. Reliance can be placed upon the Full Bench judgment of this Court in '***A.S. Randhawa Vs. State of Punjab and others', 1997(3) SCT 468***. The relevant paragraph of said judgment is as under:-

> *"Since a government employee on his retirement becomes immediately entitled to pension and other benefits in terms of the Pension Rules, a duty is simultaneously cast on the State to ensure the disbursement of pension and other benefits to the retirer in proper time. As to what is proper time will depend on the facts and circumstances of each case but normally it would not exceed two months front the date of retirement which time limit has been laid down by the Apex Court in M. Padmanabhan Nair's case (supra). If the State commits any default in the performance of its duty thereby denying to the retiree the benefit of the immediate use of his money, there is no gainsaying the fact that he gets a right to be compensated and, in our opinion, the only way to compensate him is to pay him interest for the period of delay on the amount as was due to him on the date of his retirement."*

In the present case, the amount on which the interest has been granted, the entitlement of the said amount is not being disputed. Once, the entitlement of the said amount is not disputed, which amount remained in the custody of the petitioners and was used and was released after a delay, the grant of interest @ 6% per annum w.e.f. 01.02.2006 till the date of release of the said amount to a pensioner, needs no interference at the hands of this Court.

The petition stands dismissed.

Pending applications, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(ROHIT KAPOOR)
JUDGE

01.12.2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No