



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

RSA-1738-2026 (O&M)

FOOD CORPORATION OF INDIA & ANR.

...Appellants

Vs.

NINDER AND OTHERS

.....Respondents

Date of Reserve : 06.05.2026

Pronounced On : 11.05.2026

Uploaded on : 19.05.2026

Whether only the operative part of the judgment is pronounced? **No**
Whether full judgment is pronounced? **Yes**

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Vishwajit Bedi, Advocate
 for the appellant.

SUDEEPTI SHARMA, J.

1. The present regular second appeal is preferred against judgment and decree dated 11.12.2025 passed by learned Additional District Judge, Gurdaspur, whereby, appeal filed by the respondents against judgment and decree dated 10.12.2019 passed by learned Civil Judge (Jr. Division), Gurdaspur is allowed.
2. Brief facts of the case as per the civil suit are that respondents being legal heirs of deceased Sarabjit Masih filed civil suit for service benefits i.e. provident fund, gratuity, etc. of late Sarabjit Masih, who died on 21.07.2016 while in service with Food Corporation of India (FCI) department. Civil suit filed by the respondents was dismissed vide judgment and decree dated 10.12.2019 passed by learned Civil Judge (Jr. Division), Gurdaspur. They filed appeal against the same which was allowed in favor of the respondents/plaintiffs vide judgment and decree dated 11.12.2025 passed by learned Additional District Judge, Gurdaspur. Hence,



the present appeal challenging only the grant of interest @ 6% to be on the higher side.

3. Learned counsel for the appellants contends that learned First Appellate Court has wrongly allowed the appeal filed by the respondents/plaintiffs and granted interest at the rate of 6% on the delayed payment of service benefits without appreciating the fact that there was no delay in payment of service benefits. He, therefore, prays that the present regular second appeal be allowed.

4. I have heard learned counsel for the appellants and perused the whole record of this case with his able assistance.

5. A perusal of the file shows that during the pendency of appeal there was amicable settlement between the parties and the only dispute arose was regarding the interest for the delayed payment of the service benefits which has rightly been granted by learned Additional District Judge, Gurdaspur at the rate of 6% per annum.

6. Admittedly, Sarabjit Masih died on 21.07.2016 while he was in service with department of appellants. Civil suit was filed on 30.08.2016, and was decided vide judgment and decree dated 10.12.2019 passed by learned Civil Judge (Jr. Division), Gurdaspur. Thereafter, appeal was filed which was disposed of vide judgment and decree dated 11.12.2025 passed by learned Additional District Judge, Gurdaspur on the basis of settlement arrived at between the parties after about five years of preferring the appeal. Therefore, delay in payment cannot be disputed. And once there is a delay in payment of service benefits, and the said benefits remained with the appellants who were enjoying the interest as well, therefore, the respondents are rightly held entitled to interest on the delayed payment.



7. In view of the above, I do not find any infirmity in judgment and decree dated 11.12.2025 passed by learned Additional District Judge, Gurdaspur and the same is upheld.
8. Accordingly, the present regular second appeal is **dismissed**. Parties to left bear their own cost.
9. Pending application(s), if any, also stand disposed of.

11.05.2026

Sahil/Ayub

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/non-speaking : Speaking
Whether reportable : Yes/No