



CWP-27447-2023(O&M)

-1-

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

(235)

CWP-27447-2023(O&M)
Date of Decision :11.02.2026

Premvati**.. Petitioner**

Versus

Punjab State Power Corporation Limited & anr.**.. Respondents****CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Vijay Pal, Advocate
for the petitioner.

Mr. Ashish Verma, Advocate,
for the respondents.

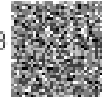
HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of certiorari for quashing the impugned order dated 23.05.2022 (Annexure P-13) and further for directing the respondents to grant interest at the rate of 12% on account of delayed payment of complete pensionary benefits and ex-gratia amount.

2. Learned counsel for the petitioner *inter alia* contends that the husband of the petitioner died in harness on 11.07.2012 while performing his duties in the field. The cause of death of late husband of the petitioner is electric fusion and the petitioner was entitled to ex-gratia amount of Rs.5,00,000/-. The petitioner immediately submitted all the required documents to respondent No.2. Thereafter, on 17.10.2012 respondent No.2 wrote a letter to the Accounts Officer, Pension, PSPCL (Annexure P-6) and

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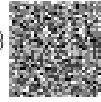
submitted the documents of the petitioner and her two children for the release of ex-gratia amount. Despite continuously approaching the respondent-Corporation, the petitioner was never granted any kind of ex-gratia amount. Subsequently, vide letter dated 18.01.2022, respondent No.2 sought the necessary documents from the petitioner. The petitioner immediately submitted the application supported by affidavit and other requisite documents to respondent No.2 (Annexure P-7) and the ex-gratia amount was released to the petitioner on 09.03.2022 vide Annexure P-9. Due to the administrative apathy and lethargy of the Accounts Branch of respondent-Corporation, the petitioner was not paid her retiral claim on time contributing to her suffering, due to the sudden demise of the only bread winner of the family. Learned counsel for the petitioner further submits that the stand taken by the petitioner in the present writ petition has not been controverted by the respondent-Corporation in the written statement. As such, there is delay in releasing the ex-gratia amount in terms of applicable policy and the petitioner is entitled to interest on the delayed payment. Further, the special pensionary benefits to the family on account of sudden death of the employee during performing his official duties were also not released immediately upon death of petitioner's husband and the petitioner started receiving the aforesaid pensionary benefits only on 16.03.2022. The petitioner has received the arrears. However, she is also entitled to interest on account of delay in releasing all the admissible dues.



3. *Per contra*, learned counsel for the respondent-Corporation reiterates the stand taken in the impugned order. However, he could not controvert the fact that the husband of the petitioner died in harness on 11.07.2012 and the admissible dues were paid after a delay of 10 years.

4. Having heard the submission made by learned counsel for the parties and after perusing the record with their able assistance, it transpires that the petitioner being the widow of a deceased employee who died in harness while performing official duties, is not only entitled to lump-sum payment of ex-gratia amount of Rs.5,00,000/- but also entitled to the special pensionary benefits in terms of the last drawn pay in terms of the policy dated 24.06.1986 Annexure P-10. Both these financial benefits were released in favour of the petitioner after a delay of 10 years, for which she is entitled to interest in terms of the judgment rendered by a Full Bench of this Court in ***A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343***, wherein it was opined that disbursement of pension and other benefits payable at retirement must be done in a timely manner. Any delay over a period of two months qua the said disbursement would entitle the retired employee to claim interest on the amount due.

5. In view of the above, the present petition is disposed of and order dated 23.05.2022 (Annexure P-13) is hereby quashed. The respondents are directed to ensure the release of the amount of interest on the delayed payment to the petitioner at the rate of 6% per annum in lieu of all

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admissible retiral dues. The same shall be calculated from two months after the death of petitioner's husband till its actual realization. The respondent(s)/competent authority is directed to do the needful within 03 months of receipt of a certified copy of this order.

6. Pending miscellaneous application(s), if any, also stands disposed of.

11.02.2026
monika

(HARPREET SINGH BRAR)
JUDGE

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