



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-1965-2018 (O&M)

Date of Reserve:- 25.08.2025

Date of Pronouncement:-02.09.2025

State of Punjab and ors.

.....Appellants

vs.

Nirmal Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Ravneet Singh Joshi, DAG, Punjab.

Mr. Ankush Singla, Advocate
for the respondent.

SUDEEPTI SHARMA J.

1. The present regular second appeal is preferred by State of Punjab against judgment and decree dated 21.03.2016 passed by learned Civil Judge (Senior Division), Barnala whereby the civil suit filed by the respondent for recovery of Rs. 1,71,060/- along with interest @ 12% per annum on account of delayed payment of Death-cum-Gratuity, Leave Encashment, GPF and GIS, was decreed in his favour and judgment and decree dated 23.01.2018 whereby the appeal filed by the appellant against the judgment and decree dated 21.03.2016 was dismissed by learned Additional District Judge, Barnala.

FACTS NOT IN DISPUTE

2. Brief facts of the case as per civil suit are that the respondent was selected as Revenue Patwari on 17.05.1978 and joined his duties at Village Gowara, Tehsil Malerkotla. He was promoted as Kanugo on 21.01.1994 and joined duty at Tapa as Kanugo. Thereafter, vide order dated 21.01.2011, the respondent was promoted as Naib Tehsildar in the Revenue Department and



retired on 31.03.2012 as Naib Tehsildar agrarian Barnala. After retirement, the respondent was to be granted Death-cum-Gratuity, Leave Encashment, GPF and GIS in the first week of April, 2012 by the appellants. Death-cum-Gratuity amount was sanctioned on 06.03.2012 and in March itself, it was received by the appellant. However, the said amount was paid on 28.06.2012 to the respondent after a delay of about 03 months. The amount of leave encashment was paid to the respondent on 25.06.2012 and GPF amount was paid on 08.02.2013. There was delay of about 10 months in making the payment of GPF and GIS which was paid on 04.04.2013 to the respondent. The respondent made various representations and requested for release of payments of retiral benefits but the representations were not answered to and there was delay in payment of retiral benefits. The respondent filed civil suit claiming interest @ 12% per annum on the delayed payments, which was decreed in his favour, vide judgment and decree dated 21.03.2016 passed by learned Civil Judge (Senior Division), Barnala. The appellant filed appeal against the same, which was dismissed vide judgment and decree dated 21.03.2016 passed by learned Additional District Judge, Barnala. Hence, the present Regular second appeal.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES

3. Learned counsel for the appellants contends that the interest granted to the respondent is on the higher side. He prays that no interest should have been granted to the respondent since there is a delay on the part of the respondent in submitting the declaration. He, therefore, prays that the present Regular second appeal be allowed.

4. Per contra, learned counsel for the respondents argues on the lines of judgment and decree passed by both the Courts below and contends that the



interest @ 12% percent has rightly been granted. He, therefore, prays that the present Regular second appeal be dismissed.

5. I have heard learned counsel for the parties and perused the whole record of this case with their able assistance.

Analysis of the Record

6. A perusal of the record shows that admittedly, there is delay in payment of retiral benefits to the respondent and the same could not be explained by the appellants. The dates mentioned by the respondent on which the retiral benefits were granted to him, is not disputed by the appellants. A perusal of the record further shows that the respondent gave representation to the appellants as well but the same was unanswered, therefore, the civil suit filed by the respondent has been rightly decreed in his favour.

CONCLUSION

7. In view of the above, I do not find any infirmity in judgment and decree dated 21.03.2016 passed by learned Civil Judge (Senior Division), Barnala as well as judgment and decree dated 23.01.2018 passed by learned Additional District Judge, Barnala and the same are upheld. Accordingly, the present regular second appeal is dismissed.

8. Parties are left to bear their own costs. Decree sheet be prepared accordingly.

9. Pending application (s) if any also stands disposed of.

(SUDEEPTI SHARMA)
JUDGE

02.09.2025
Gaurav Arora

Whether speaking/reasoned : Yes
Whether reportable : Yes