

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****201****CWP No.15096-2000 (O&M)****Date of decision: 21.05.2025**

D.V. Rana

*.....Petitioner**Versus*

State of Haryana and Ors.

*.....Respondents***CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

Present: None for the petitioner.

Mr. Rahul Dev, Addl.AG, Haryana.

VINOD S. BHARDWAJ, J (ORAL)

Instant petition had been filed for issuance of a writ in the nature of mandamus directing the respondents to pay at least 18% interest yearly on the delayed payment of monthly regular pension and other retiral benefits from the date of retirement till the realisation of the payment.

Upon notice, written statement has been filed, which states that in pursuance of order dated 23.04.2003 of this Court, all the payment towards pension has been released to the petitioner. Prayer in the present petition is confined only to the grant of interest for two years on the delayed payment of monthly regular pension and other retiral benefits.

Learned State counsel contends that pursuant to order dated 23.04.2003 passed by this Court in CWP No.15096-2000, a recovery was to be made. The Government was requested to sanction the recovery of commutation of



pension from 01.05.1998 to 1/1999 and the remaining amount of Rs.46501/- had been paid to the petitioner. The petitioner never opposed the factum of recovery, hence there is no legal right in favour of the petitioner to get full amount of interest without recovery of commutation of pension.

Be that as it may, there is no representation on behalf of the petitioner. As per office report, notice issued to the petitioner has been received back with the report that he is aged and not feeling well. It seems that he is disinclined to appear. It is noticed that during proceedings before the Lok Adalat on 17.03.2017, a sum of Rs.46,000/- was paid by the respondent to the petitioner pursuant to order dated 23.04.2003 passed by the Lok Adalat. Relevant part of the order dated 23.04.2003 reads as under:

“It is not necessary to refer to the details of payment of retiral benefits as the matter is left to the State to decide and submit copy of the order. Suffice it to say the petitioner retired as Chief Accounts Officer on 30.04.1998 and his retiral benefits such as G.P.F etc were paid in driblets on different dates after June, 1998. On delayed payment, under the rules, interest is also payable. Let the State Government pass appropriate orders regarding payment of interest on delayed retiral benefits as per rules. Copy of such order be produced on the next date of hearing.

To come up on 24.07.2003.

Copy of this order be supplied to the parties.”

The petitioner was only raising challenge to the wrong calculation by stating that certain unnecessary deductions have also been effected. However, there is no affidavit or document that has been filed on record on the basis of which it may be presumed that there was any wrong calculation or any wrongful deduction made by the respondent-Department. Moreover, a sum of Rs.46,000/- was paid to the petitioner in compliance of order dated 23.04.2003. Since the aforesaid period was purely in relation to payment of interest released on retiral



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benefits as per rules and there is nothing on record on basis of which, it could be presumed that said calculation was incorrect, I am of the opinion that there may not be subsisting cause with the petitioner to pursue the present lis any further.

Dismissed for non-prosecution.

All pending misc. application, if any, shall stand disposed of.

May 21, 2025
manoj

(VINOD S BHARDWAJ)
JUDGE

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