



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

CWP-6432-2025 (O&M)

Date of decision: 07.03.2025

Janki Devi

...Petitioner

VERSUS

The State of Haryana and others

...Respondents

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

Present :- Mr. Rakesh Nagpal, Advocate for the petitioner(s).

Ms. Tanisha Peshawaria, DAG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant writ petition has been filed for directing the respondents to release the interest on the delayed payment of arrears.

Learned counsel appearing on behalf of the petitioner contends that the petitioner was appointed as House Mother on 03.08.1992 and was eventually promoted to the post of Nursery Teacher on 25.07.2011 wherefrom she retired on 31.10.2022. He submits that the respondent-Society had adopted 6th and 7th Pay Commission, w.e.f. 01.01.2006 and w.e.f. 01.01.2016 respectively, but the payment in this regard was disbursed to the petitioner on 17.12.2018 without any interest. Thus, the instant writ petition has been filed for payment of interest on the delayed release of the arrears of pay.

On being confronted with the fact that the benefits have been released to her on 17.12.2018 and the instant writ petition has been filed



after a delay of 06 years and that it is not a continuous cause of action, counsel for the petitioner is not in a position to refer any statutory provision.

Moreover, learned State counsel contends that the grievance, if any, pertains to the year 2018 and cause of action had accrued then. However, the petitioner had not approached any competent Court in a reasonable time i.e. in 06 years and hence, the present writ petition is liable to be dismissed for delay and laches.

Having heard the learned counsel for the petitioner as well as the learned State counsel and finding no satisfactory explanation from the counsel for the petitioner except that the petitioner had submitted representations which, as per the settled law, do not extend the period of limitation, I find that there is an inordinate delay of more than 06 years in approaching this Court for the claim of interest. The same is not a recurring cause of action.

In view of the above, I find that the present writ petition is belated and thus the same is accordingly dismissed.

(VINOD S. BHARDWAJ)
JUDGE

07.03.2025

Mangal Singh

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