



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

**LPA No.3353 of 2024 (O&M)
Date of Decision: 07.01.2025**

Senior Regional Manager, Punjab National Bank, Rohtak

.....Appellant.

Versus

Pankaj Bhatnagar

.....Respondent.

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Saurav Verma, Advocate
for appellant.

SANJEEV PRAKASH SHARMA, J.(Oral)

CM No.8286-LPA of 2024

For the reasons mentioned in the present application, the same is allowed and the delay of 73 days in filing the appeal is condoned.

LPA No.3353 of 2024 (O&M)

The present appeal has been preferred against the order passed by learned Single Judge on 05.09.2024, whereby learned Single Judge has directed the respondents to reconsider the case of the petitioner for ex-gratia payment.

2. Learned counsel for the appellant submits that the criteria as directed by learned Single Judge for not adding the notional interest goes contrary to the policy.



3. We have carefully considered the policy. The notional interest part could not have been counted in terms of the policy. Admittedly, the policy would not take into consideration the sources of income as have been noticed by the Apex Court too in the case of *General Manager (D&PB) and others Versus Kunti Tiwary, (2004) 7 SCC 271*. The said criteria has to be revised after every three years as directed by Hon'ble Supreme Court recently in the case of *State of Himachal Pradesh Versus Shashi Kumar, 2019 (3) SCC 653*.

4. Accordingly, the policy which has been noticed by the Court in the aforesaid judgment (supra), related to 1996 would also have been revised at the time of death of the concerned employee, i.e 18.10.2007. We, therefore, do not find any reason to interfere with the order passed by learned Single Judge. The appeal is misconceived and dismissed accordingly.

5. All pending civil misc. applications also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

January 07, 2025
Yag Dutt

Whether speaking/reasoned: Yes
Whether Reportable: No