



RSA No. 2171 of 2006

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

RSA-2171 of 2006 (O&M)
Date of Decision:- 17.03.2026

B.R. Verma

.....Appellant

Vs.

Dakshin Hary.. Board Prasaran Nigam Ltd.

.....Respondent

Whether only the operative part of the judgment is pronounced? **No**
Whether full judgment is pronounced? **Yes**

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Animesh Sharma, Advocate
for the appellant.

Mr. Yudhveer Hooda, Advocate
for the respondent.

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SUDEEPTI SHARMA J. (ORAL)

1. The present regular second appeal is preferred against judgment and decree dated 06.10.2003 passed by learned Civil Judge (Jr. Divn.), Faridabad whereby the civil suit filed by the appellant was partly allowed.

2. At the very outset, learned counsel for the respondent has informed the Court that the respondents have released the amount of Rs.75769/- which was deducted from his gratuity on account of letter dated 09.02.1999, in favour of the appellant on 31.07.2006.

3. The only dispute that remains in the present regular second appeal is as to whether the appellant is entitled to interest on the amount of Rs.75769/-, which was deducted from his gratuity and thereafter which was released on 31.07.2006 in favour of the appellant. The answer to the same is in positive.

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4. I have heard learned counsel for the parties and perused the whole record of these cases.

5. A perusal of the record shows that the pensionary benefits were released to the appellant on 12.02.1999 after deducting a sum of Rs.75769/- from his gratuity. Thereafter, on 31.07.2006, amount of Rs.75769/- was released to the appellant. He is therefore entitled to interest on the delayed payment.

6. The Full Bench of this Court in ***A.S. Randhawa vs. State of Punjab & others, 1997(3) SCT 468*** has held as under:-

“9. Since a government employee on his retirement becomes immediately entitled to pension and other benefits in terms of the Pension Rules, a duty is simultaneously cast on the State to ensure the disbursement of pension and other benefits to the retiree in proper time. As to what is proper time will depend on the facts and circumstances of each case but normally it would not exceed two months from the date of retirement which time limit has been laid down by the Apex Court in M. Padmanabhan Nair's case (supra). If the State commits any default in the performance of its duty thereby denying to the retiree the benefit of the immediate use of his money, there is no gainsaying the fact that he gets a right to be compensated and, in our opinion, the only way to compensate him is to pay him interest for the period of delay on the amount as was due to him on the date of his retirement. Again, as to what should be the rate of interest, it should, in our view, be generally 12% unless the circumstances of a particular case warrant the payment of a higher rate which may extend to even 18%.”

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7. This Court in *RSA No. 4228-2006 and connected matter titled as State of Haryana and ors. vs. Satwant Singh and anr., decided on 24.02.2026*, by relying upon the above referred to Full Bench judgment of *A.S. Randhawa's case (supra)* affirmed 18% interest per annum on the delayed payment.

8. In view of the above, the appellant is held entitled to interest @ 18% per annum on the amount of Rs.75769/-.

9. The present appeals pertains to the year 2006 and is now been decided after almost 20 years because of which appellant is deprived of his right of grant of interest @ 18 % per annum. Therefore, to avoid further delay and harassment to the appellant, justice demands that the directions be issued to the respondents that they should not force the appellant to file execution.

10. Resultantly, the respondents are directed to grant 18% interest per annum on the amount of Rs.75769/- from 12.02.1999 when all other pensionary benefits were released to the appellant after deducting amount of Rs.75769/- till 31.07.2006 when the amount of Rs.75769/- was released in favour of the appellant, within a period of two months from today.

11. The regular second appeal is decided accordingly.

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

17.03.2026

Gaurav Arora

(SUDEEPTI SHARMA)**JUDGE**

Whether speaking/non-speaking : Speaking

Whether reportable : Yes