

(2002) 04 AHC CK 0163
In the Allahabad High Court
Case No : C.M.W.P. No. 36852 of 2001

Satish Chandra Goel

APPELLANT

Vs

Chief Development Officer, Saharanpur and Others

RESPONDENT

Date of Decision : 15-04-2002

Acts Referred:

Citation : (2002) 2 AWC 1617 : (2002) 94 FLR 309 : (2002) 2 UPLBEC 1482

Hon'ble Judges : Rakesh Tiwari, J;M. Katju, J

Bench : Division Bench

Advocate : Khalil Ahmad Ansari, for the Appellant; C.S.C., for the Respondent

Final Decision : Disposed Of

Judgement

M. Katju and Rakesh Tiwari, JJ.—Heard learned counsel for the petitioner and learned standing counsel.

2. The petitioner is challenging that part of the Judgment of the U. P. Public Service Tribunal, dated 24.8.2001, Annexure-13 to the writ petition, by which he has been deprived of interest on his pension. Interest is the normal accretion on the principal amount, and it is not a penalty. If the payment is made in time, the person can earn interest on the amount paid to him. But if there is delay in payment, the person cannot earn interest, and instead the person/authority, who withheld the payment earns interest on it. Hence, he has to pay not only the principal amount but also the interest on it.

3. On the facts of the case, we modify the impugned order of the Tribunal and direct that the petitioner shall be given 12% per annum interest on the arrears of his pension from the date when the amount was due till the date of payment, and such payment of interest must be made within three months from the date of production of a certified copy of this order before the authority concerned. The petition is disposed of accordingly.