
(2002) 03 AHC CK 0033
In the Allahabad High Court
Case No : C.M.W.P. No. 21313 of 2000

Smt. Radhika Devi

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 16-03-2002

Acts Referred:

Citation : (2002) 2 AWC 1478 : (2002) 3 CivCC 10 : (2002) 93 FLR 707

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

Bench : Division Bench

Advocate : R.N. Tripathi and Ekta Kaur, for the Appellant; Aradhana Chauhan, S.C., for the Respondent

Judgement

M. Katju and R. Tiwari, JJ.—Heard Sri R.N. Tripathi. learned counsel for the petitioner and Smt. Aradhana Chauhan for the respondents.

2. The petitioner has prayed for family pension, which has been paid, and now she claims Interest due to late payment. Interest is the normal accretion on capital, and it is not a penalty or punishment. If a certain amount is payable at a certain time, then the person to whom it is paid in time would invest it and earn interest. However, if there is delay in payment, then the person who retained the money would have earned interest on the same. Hence, he has to pay not only the principal amount but also interest on the same.

3. We. therefore, dispose of this petition with the direction to the respondents to pay interest on the pension, which has been paid to the petitioner at the rate of 12% per annum from the date when it was payable to the date of payment. The amount will be paid within two months from the date of production of a certified copy of this order before the authority concerned.