

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO(s). 2680 OF 2010

H.L. GOYAL ... APPELLANT(S)

VERSUS

C.C.S.HARYANA AGRICULTURAL UNIV.
& ORS. ...RESPONDENT(S)

O R D E R

The Division Bench of the High Court of Punjab and Haryana at Chandigarh has declined to interfere with the order of the learned Single Judge dated 12.12.2007 passed in Civil Writ Petition No. 8968 of 1999, wherein the appellant had challenged the refund along with compound interest till realization, however, the Division Bench of the High Court has denied the payment of compound interest.

The contention urged before the learned Single Judge as also before the Division Bench of the High Court was that since the respondent-University constrained the appellant herein to deposit the amount with compound interest as is applicable to CPF/GPF, the respondent-University should be directed to refund the amount at the same rate of interest. This aspect has not been considered with regard to the applicability of

the amended Clause 3.3 and 9(3) of the Pension Statutes of the University made vide Notification dated 11.08.1997. In our considered opinion, the relief sought for by the appellant herein has not been examined by the learned Single Judge as also the Division Bench of the High Court. Hence, we allow the prayer of the appellant as the respondent-University had erred in law and denied the claim made by the appellant herein towards the payment of interest.

The civil appeal is allowed, consequently, Civil Writ Petition No. 8968 of 1999 is also allowed. There shall be no order as to costs.

.....J.
(V. GOPALA GOWDA)

.....J.
(ARUN MISHRA)

NEW DELHI,
DECEMBER 2, 2015

ITEM NO.114

COURT NO.10

SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2680/2010

H.L. GOYAL

Appellant(s)

VERSUS

C.C.S.HARYANA AGRICULTURAL UNIV. & ORS.

Respondent(s)

(With office report)

Date : 02/12/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s)

Mr. Vipin Gogia, Adv.

Ms. Jaspreet Gogia, Adv.

For Respondent(s)

Ms. Dharini Ravi, Adv.

RR-1

Mr. Surya Kant, Adv.

Mr. Sanjay Kumar Visen, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeal is allowed in terms of the signed order.

(S. K. RAKHEJA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

(Signed order is placed on the file)