



113 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-14387-2026

Date of decision: 13.07.2026

Ajmer Singh

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. S.K. Malik, Advocate
for the petitioner.

Mr. Rahul Dev Singh, Addl.A.G., Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to release the interest on delayed payment of retiral benefits upto 16.03.2026 i.e. gratuity and commutation and also to consider and decide the representation dated 17.03.2026 (Annexure P-5).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner was appointed as a Clerk in the School Education Department on 08.01.1986 and after rendering satisfactory service, retired on attaining the age of superannuation on 31.07.2025. On the eve of his retirement, neither any disciplinary nor judicial proceedings were pending against him. As such, there was no embargo on the release of his retiral dues on the due date. However, the retiral dues were ultimately released on 16.03.2026 after a delay of about six and a half months. As such, the petitioner is entitled to interest on the delayed payment in terms of the judgment rendered by a Full Bench of this Court in ***A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343.***



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3. Learned State counsel, on instructions, submits that some inquiry was pending against the petitioner; however, the petitioner was exonerated in the inquiry. Further, he could not provide any information as to whether any charge-sheet was served prior to the date when the petitioner was superannuated.

4. Having heard learned counsel for the parties and after perusal of the record with their able assistance, it transpires that the petitioner retired on 31.07.2025. The petitioner has specifically pleaded in paragraph 8 at page 9 of the petition that no show cause notice was ever issued, no disciplinary proceedings were ever pending against him and no such order was ever passed. The said averment has remained uncontroverted. However, the justification regarding the pendency of the inquiry will not dislodge the entitlement of the petitioner. The petitioner is entitled to interest on account of the delayed payment, especially when, during the inquiry, the complicity of the petitioner was not established.

5. In view of the above, the present petition is disposed of. The respondents are directed to pay interest @ 6% per annum to the petitioner, to be calculated two months from the date of retirement of the petitioner till actual realization, in terms of the Full Bench of this Court in *A.S. Randhawa Supg. Engineer (Retd.)'s case (supra)*, within a period of six weeks from the date of receipt of certified copy of this order, till actual realization.

(HARPREET SINGH BRAR)
JUDGE

13.07.2026

<i>Neha</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No