

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

**CWP No. 8482 of 2020
DATE OF DECISION : 08.03.2021**

Devender Kumar Nada

.....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr.Abhishek KumarPremi, Advocate,
for the petitioner.

Mr. Manoj Kumar Taya, AAG, Haryana.

Mr.Abhishek Goyal, Advocate,
for respondents No.3 & 4

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. Grievance of the petitioner herein, inter alia, is qua non release of his entire reitral benefits including leave encashment, gratuity, General Provident Fund and GIS to the petitioner along with interest @ 18%.

2. Learned counsel for the petitioner submits that vide a letter dated 04.03.2021, copy whereof has been sent to the petitioner, respondent No.1 has already passed appropriate orders asking respondents No.3 and 4 to make the requisite disbursement to the petitioner qua his pending retiral dues arising out of his retirement.

3. Learned counsel for respondent No.3-Municipal Corporation, Faridabad does not controvert the letter/orders passed by respondent No.1 and submits that per his instructions, the retiral dues are likely to be

disbursed to the petitioner in due course and expedient steps are being taken thereof.

4. In the premise, respondent No.3 is directed to do the needful within a period of 2 months from today. It is made clear that since the delay in disbursement of the retiral benefits has happened without any fault of the petitioner, therefore, he is entitled to dues along with interest @ 7% per annum with effect from the date the same were legitimately due to him till the actual date of payment.

5. It is also made clear, that the fact that disciplinary proceedings pending were against the petitioner, shall not come in his way of grant of interest. The delay has been due to the pendency of the departmental proceedings and attributable entirely to the department.

6. Disciplinary proceedings were initiated by the department itself and were dropped also on its own initiative and, therefore, petitioner cannot be found fault with.

7. Disposed of with above observations.

March 08, 2021

Vivek

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : **Yes/No**

Whether reportable : **Yes/No**