

2024:PHHC:097812



CWP-26810-2023 (O&M) 1

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

107+296

CWP-26810-2023 (O&M)
Date of Decision : 01.08.2024

SURINDER KUMAR

.... PETITIONER

V/S

PANJAB UNIVERSITY , CHANDIGARH

.... RESPONDENT

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Surinder Kumar-Petitioner in person with
Mr.Raj Kumar Bhatia, Advocate

Mr. Vivek Chauhan, Advocate
for the respondent.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to the respondent to release his pensionary benefits.

2. The petitioner retired from respondent-University as Assistant Registrar on 31.08.2018. He was entitled to terminal benefits at the time of retirement which include gratuity, leave encashment and furlough. The respondent-University did not release his retiral dues because he was occupying official accommodation and dues were pending against him. The University assessed outstanding dues and thereafter calculated balance pensionary benefits payable to the petitioner. As per respondent, total dues of the petitioner come to Rs.15,33,970/-. The respondent is not releasing the said amount because



CWP-26810-2023 (O&M) 2

of orders passed by the Executing Court.

3. Counsel for the parties are ad-idem that there is no order of Executing Court with respect to gratuity, thus, amount of gratuity can be released to the petitioner. The amount of gratuity as assessed by respondent is Rs.4,35,442/-. The respondent is hereby directed to release the said amount within a week from today to the petitioner.

4. The remaining amount due to the petitioner has been deposited by respondent with Executing Court. Today the matter is listed before Executing Court. As per petitioner, his outstanding liability qua execution application No. Ex/925/2014 is much less than amount payable to him under the heads leave encashment and furlough.

5. Mr. Vivek Chauhan, Advocate submits that the University has deposited entire dues of the petitioner except gratuity with District Court because of Court orders.

6. To resolve the dispute qua leave encashment and furlough, the Executing Court is requested to release due amount of petitioner after satisfying decree (s) against the petitioner.

6. Disposed of.

7. Pending miscellaneous application, if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

01.08.2024

anju

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No