



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

115+246

CWP-3348-2022 (O & M)
Date of Decision: 05.02.2025

Surbhi Jain

.....Petitioner(s)

Versus

The State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Gaurav Rana, Advocate,
for the applicant-petitioner.

Mr. Raman Sharma, Addl. A.G., Haryana.

Mr. Sanjeev Kaushik, Advocate,
for respondent Nos.2 and 3.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition filed under Article 226 of the Constitution of India is seeking setting aside of charge sheet dated 15.12.2021 (Annexure P-20) and release retiral benefits alongwith interest.

2. Learned counsel for the parties are *ad idem* that during the pendency of instant petition, the charge sheet stands withdrawn and retiral benefits alongwith interest @ 6% per annum stand released.

3. Mr. Rana submits that in terms of Rule 79(1) of the Haryana Civil Services (Pension) Rules, 2016 (in short '2016 Rules'), the petitioner is entitled to simple interest as of General Provident Fund whereas respondent has granted interest @ 6%.



“(1) No interest shall be payable if the payment of pension and/or death-cum-retirement gratuity of superannuation retirement have been authorized within three months and in other kind of retirement within six months from the date of retirement or from the date the procedure laid down in this chapter is complied with by the retiring Government employee/family of deceased Government employee, whichever is later. Where the pensionary benefits are authorised after the prescribed period and the delay in authorization was attributable to administrative lapse, simple interest as of General Provident Fund beyond the prescribed period shall be paid. However, no interest shall be paid where the delay in authorization has been caused due to failure on the part of the retiring Government employee or the family of deceased or disappeared Government employee to comply with the procedure laid down in this Chapter.”

- 5. Faced with this, Mr. Kaushik submits that competent authority would consider claim of petitioner in terms of aforesaid Rule and do the needful within 2 months from today.
- 6. Mr. Rana agrees to the aforesaid arrangement.
- 7. In the wake of statement of both sides, petition stands disposed of.
- 8. Pending applications, if any, shall also stand disposed of.

05.02.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No