



222

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

CWP-5503-2020

Date of decision: 22.12.2025

Dalwara Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Ms. Lovinder Kaur, Advocate
for the petitioner.

Mr. Vikas Arora, DAG, Punjab.

Ms. Anu Chatrath, Senior Advocate with
Mr. Yuvraj Dhananjaya, Advocate
for respondent No.4.Mr. Ankit Kumar, Advocate
for respondent No.5.**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the speaking order dated 11.10.2019 (Annexure P-4) and further, for issuance of a writ in the nature of *mandamus* directing the respondents to release the interest amount @12% per annum from the date of his retirement and release the remaining amount of Rs.34,801/- of P.F. and gratuity as per the settled law.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner retired from his service after attaining the age of superannuation on 28.02.2017. It was incumbent upon the respondent(s) to release the pensionary benefits of the petitioner within the reasonable time. The petitioner during his



CWP-5503-2020

-2-

service has served in different municipalities, as such, in terms of the judgment rendered by this Court in CWP No.14990 of 1992 titled as '**Dr. R.R. Sharma (Retd.) Vs. Post Graduate Institute of Medical Education and Research, Chandigarh**' decided on 02.11.1999, the petitioner cannot be penalized and administrative delay cannot be fastened upon him. Admittedly, the retiral benefits of the petitioner were released in the year 2019 and delay in releasing the retiral dues would entitle the petitioner to claim interest 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**.

3. Per contra, learned counsel for respondent No.5 submits that immediately after coming to know about the retirement of the petitioner from respondent No.4, respondent No.5 released the payment of his share to respondent No.4. Learned senior counsel for respondent No.4 submits that immediately thereafter, the payment has been released to the petitioner.

4. Having heard learned counsel for the parties and on perusal of the record, it transpires that the petitioner retired on 28.02.2017. Admittedly, at the time of retirement, there was no pending disciplinary or judicial proceedings against the petitioner and his retiral dues were released only in the year 2019, as such, the petitioner is entitled to the interest on account of delay in terms of the judgment rendered by a Full Bench of this Court in **A.S. Randhawa Supg. Engineer (Retd.)**.

5. In view of the discussion above, the present petition is disposed of with a direction to respondent No.3 to ensure all pending dues including interest @ 6% per annum (to be calculated two months after the retirement of



CWP-5503-2020

-3-

the petitioner till its realization) to be paid to the petitioner within a period of three months from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

22.12.2025

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No