



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

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**CWP-8354-2024 (O&M)
Date of decision: 04.04.2025**

RAJAN THOMAS

.....Petitioner

VERSUS

INDIAN COUNCIL OF SOCIAL SCIENCE RESEARCH (ICSSR), NEW
DELHI AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Deepak Singh Saini, Advocate
for the petitioner.

Mr. Ishaan Bhardwaj, Advocate
for respondent No.1-ICSSR.

Mr. Sandeep Singh, Advocate
for respondent No.2.

Mr. Anil Chawla, Advocate
for respondent No.3-Union of India.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner has approached this Court for issuance of directions to respondent No.2-the Centre for Research in Rural Development (CRRID), Chandigarh to release the leave encashment of the petitioner which fell due to him post his superannuation.

2. When the matter came up for hearing on 30.01.2025, Counsel appearing on behalf of the Centre for Research in Rural Development



(CRRID) made a submission that owing to certain allegations of irregularities, the grant-in-aid for the year 2021-2022 had not been released whereupon the employees approached this Court for seeking release of salary and other pensionary benefits. The said writ petitions were allowed in favour of the employees and the Letters Patent Appeal preferred against the same was also dismissed. SLP No. 17595-2024 had been preferred by the respondent No.1 which was pending adjudication before Hon'ble the Supreme Court and consequent upon interim order dated 23.08.2024 passed by the Hon'ble Supreme Court, the entire outstanding arrears and dues including those admissible to the petitioner already stood deposited with the Registry of Hon'ble the Supreme Court.

3. Learned Counsel appearing on behalf of the petitioner contends that the said issue has already been decided by the Hon'ble Supreme Court vide its order dated 20.03.2025 and a direction has been issued to the Centre for Research in Rural Development (CRRID) to ensure payment of salary to all its employees that were withheld from April 2021, to March, 2023. The amount which was claimed to have been deposited by the Indian Council of Social Science Research (ICSSR) with the Registry of Hon'ble the Supreme Court has been directed to be released in its favour. The operative part of the order reads thus:-

“We direct CRRID to ensure payment of salaries to all its employees which were withheld between April, 2021 to March, 2023 from its own resources within a period of three weeks from the date of this order. In case, CRRID fails to release this amount in favour of the employees, we direct ICSSR to withhold all further grant-



in-aid in favour of CRRID. The CRRID will not only have to release the amount in favour of employees but shall also file a compliance report before ICSSR stating that this has been done within the stipulated period. This we do as we cannot lose sight of the fact that anomalies have been committed at the end of CRRID.

29. The Registry of this Court is directed to release the amount which has been deposited by ICSSR in this Court, in favour of ICSSR along with the interest, if any, within a week from today.

30. All connected matters stand disposed of in the light of the decision made in the main matter and we make it clear that what has been determined in the case of ICSSR as to its liabilities of payment of grants will also apply to the State of Punjab as well.

31. ICSSR and the State of Punjab are at liberty to move applications before the High Court to get back the amount, if any, deposited by them and the High Court shall decide such applications in the light of this order.”

4. It is thus evident that the liability to pay the salary (which inherently includes the statutory dues) had been fastened upon the Centre for Research in Rural Development (CRRID) and not upon the ICSSR or the Government of India. Hence, the reason given by the respondent that the amount payable is to be received from ICSSR can no more be accepted as valid.

5. Even though the Counsel for the respondents contends that the direction issued by the Supreme Court is to pay the salary to its employees and not the leave encashment, I find that such an argument being advanced



by an Institute is *per se* contrary to the settled position in law. The salary alongwith all other components including the terminal benefits is part of a liability that is to be discharged by the Centre for Research in Rural Development (CRRID) and the source of disbursement of such consequential benefits is inconsequential in so far as the employee is concerned. The Hon'ble Supreme Court having already directed the Centre for Research in Rural Development (CRRID) to pay the salaries to its employees, inherently mandates that every other admissible statutory dues in favour of the employees has to be released.

6. More over, the case set up by the respondents themselves on the last date of hearing was then the entire liability payable towards the petitioner is a subject matter of dispute before the Hon'ble Supreme Court and the amounts stands deposited therein, I find that the arguments being raised now at this juncture is an afterthought and intended only to defeat the claim of the employees. Hence, the said argument is rejected as being devoid of merit and being a dishonest attempt to deprive an employee of his entitlement. Thus, an additional cost of **Rs. 50,000/-** is imposed upon the Centre for Research in Rural Development (CRRID) to deposit the same with the "***Poor Patients Welfare Fund' of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh***", for making an unsavory, dishonest and unfair attempt to deny the admissible benefits to an employee.

7. The present writ petition is disposed of in terms of the order dated 20.03.2025 passed by the Hon'ble Supreme Court in SLP-17595-2024. In case the retiral dues of the petitioner are not cleared within three months of receipt of certified copy of this order, the petitioner shall also be entitled



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to interest @ 6% per annum from the expiry of three months of receipt of this order till disbursement.

8. All the pending miscellaneous application(s), if any, are also disposed of.

APRIL 04, 2025
Vishal Sharma

(VINOD S. BHARDWAJ)
JUDGE

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