



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

CWP-8147-2024 (O&M)
Date of decision: 04.12.2025

MOHAN BHARDWAJ

... Petitioner

Vs.

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manoj Vashistha, Advocate
for the petitioner.

Mr. Sushil Bhardwaj, Addl. A.G., Haryana.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to process the pension case of the petitioner and release the pension and all the retiral benefits alongwith due arrears and interest to the petitioner in a time bound manner and further directions to the respondents to take appropriate action against the official responsible for untenable delay in processing the pension and release the interim amount of pension to the petitioner.



2. Learned counsel for the petitioner *inter alia* contends that the petitioner after rendering unblemished service of 25 years retired on 31.10.2022. The retiral dues of the petitioner was withheld on the basis of a forged and mischievous complaint dated 26.05.2020. Petitioner has to approach this Court on several occasions. The petitioner was fully exonerated in the disciplinary proceedings initiated against him prior to his retirement and the petitioner was exonerated on the basis of findings of the Enquiry Officer dated 10.03.2023. Learned counsel for the petitioner further submits that the pension was granted only on 17.05.2024, further he has received leave encashment and the final payment on the GPF account was made on 30.05.2024 and further amount of Rs.9,19,632/- on account of gratuity was also paid to the petitioner. Learned counsel further submits that on 21.06.2023, benefits of ACP which were withheld on account of pendency of the charge-sheet is not sustainable on account of petitioner's full and final exoneration in terms of the Enquiry Report dated 10.03.2023 and the matter regarding the ACP entitlement of the petitioner to ACP benefits has been sent to respondent No.3 as admitted in para 5 of written statement filed on behalf of respondent No.4.

3. Mr. Sushil Bhardwaj, Addl. A.G., Haryana for respondents No.1 to 3 submits that the detail of the amount released to the petitioner is given in para 3 to 5 of the written statement.

4. Heard the learned counsel for the parties and after perusal of the paper-book, it transpires that petitioner retired on 31.10.2022 and his retiral



dues were released only on 17.05.2024, whereas, the petitioner was exonerated in terms of the findings recorded by the Enquiry Officer in its report dated 10.03.2023. Further delay in release of the retiral benefits would entitle the petitioner to interest in terms of the judgment rendered by a Full Bench of this Court in “*A.S. Randhawa vs. State of Punjab and others*”, 1997 (3) SCT 468.

5. A perusal of the reply to para No.3 to 5 of preliminary objection of the written statement indicates that the matter regarding grant of ACP was sent to respondent No.3 on 18.06.2023 after the culmination of the disciplinary proceedings on 10.03.2023.

6. In view of the facts and circumstances of the case, present petition is disposed of with a direction to the respondents to pay the interest @ 6% per annum on account of delay in releasing the retiral dues to be calculated after two months of the date of his retirement till its actual realisation and further in case the decision regarding the ACP benefits is pending the same shall be decided within a period of 3 months from the date of receipt a certified copy of this order.

7. Disposed of.

[HARPREET SINGH BRAR]
JUDGE

04.12.2025

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No