2025:PHHC:103495

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

229

CWP-12105-2018 (O&M)
Date of decision: 11.08.2025

Kulbhushan Kumar Bagga

....Petitioner

Versus

Punjab State Warehousing Corporation

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. J.P. Rana, Advocate
for the petitioner.

Mr. Anil Sharma, Advocate
for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of certiorari or any other suitable writ, order or direction to the respondent to release interest @ 15% to the petitioner i.e. Rs.12,68,953.00/- from the date of his retirement i.e. 31.03.2010 till 03.01.2018 and further interest @ 15% on the amount of interest to be released from 31.03.2010 till 03.01.2018 till the date of payment along with releasing other pending dues/arrears of the petitioner with 15% interest from the date of his retirement till date of payment.

2. Learned counsel for the petitioner, inter alia, contends that the petitioner retired from service on attaining the age of superannuation on 31.03.2010. However, despite his retirement, the gratuity amount due to him was not released, solely on account of registration of FIR No.71

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dated 18.12.2006, registered under Sections 13(1)(c) read with 13(2) of the Prevention of Corruption Act, 1988, and Sections 409, 420, 467, 468, 471, 477-A and 120-B of IPC, at Police Station Vigilance Bureau, Patiala. He further submits that till date, neither any final report under Section 173(2) of the Code of Criminal Procedure has been filed before the competent court, nor has the petitioner been served with any chargesheet under the provisions of the Punjab Civil Services Rules. He further submits that the petitioner would be satisfied in case the claim made by him with regard to payment of interest on account of delay in releasing the retiral dues be considered by the respondent/Corporation in a time bound manner and a speaking order satisfying the objective standards of reasons and justice be passed.

3. On the other hand, learned counsel for the respondent/Corporation submits that the grievance raised by the petitioner has been substantially redressed on presentation of the cancellation report in FIR (supra) and the retiral dues have been released to the petitioner and as of now, the only dispute is with regard to interest on the delayed payment.

4. I have heard learned counsel for the parties and perused the record of the case with their able assistance.

5. Considering the fact that retiral dues have already been paid to the petitioner by the respondent/Corporation, the present petition is disposed of with a direction to the respondent/Corporation to consider the case of the petitioner with regard to payment of interest on the

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delayed payment strictly in terms of the judgment rendered by this Court in **CWP No.18648 of 2014**, titled as ***Shyam Lal vs Chaudhary Charan Singh Haryana Agriculture University, Hisar and others***, decided on **21.01.2021** and pass a speaking order, after affording an opportunity of hearing to the petitioner, within a period of three months from the date of receipt of certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to him forthwith.

(HARPREET SINGH BRAR)
JUDGE

11.08.2025
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

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