



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

CWP-18245-2025

Date of Decision: 07.07.2025

Rajender Singh Duggal

.....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. C.R. Narwal and Mr. Sandeep Raj Duggal, Advocates,
for the petitioner.

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

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of order dated 15.04.2021 whereby respondent did not grant interest on delayed payment of leave encashment and gratuity.

2. The petitioner was released leave encashment and gratuity in March and April' 2018. The payment of gratuity and leave encashment was initially withheld because departmental proceedings were pending against him. The competent authority formed an opinion that there should be a cut of 15% and balance amount of gratuity and leave encashment should be released. The said amount was released alongwith interest as payable on provident fund contribution. The said rate of interest is 7.1% per annum. The petitioner preferred appeal before Appellate Authority with respect to withholding of 15% leave



encashment and gratuity. The Appellate Authority ordered to release retained 15% leave encashment and gratuity, however, no order *qua* interest was passed.

3. The petitioner was paid interest as payable on provident fund contribution i.e. 7.1% per annum. He was paid simple interest whereas he is claiming compounded interest. He is also claiming interest @ 18% per annum.

4. The claim of petitioner is not justified. Had the petitioner not been paid interest at all, he could be awarded interest. The respondent has released his benefits alongwith interest @ 7.1% per annum. The benefits were withheld due to pending inquiry and authority found him guilty. The Appellate Authority exonerated him and ordered to release withheld payment. This Court does not find it appropriate to invoke its writ jurisdiction.

5. Dismissed.

07.07.2025
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(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No