



114

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

**CWP-20325-2025 (O&M)
DECIDED ON: 04.12.2025**

SURENDER PAL SINGH RANA**.....PETITIONER(S)****VERSUS****STATE OF HARYANA AND OTHERS****.....RESPONDENT(S)****CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. Sandeep Panwar, Advocate for the petitioner(s)

Mr. Deepak Balyan, Addl. A.G., Haryana.

SANDEEP MOUDGIL, J (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of appropriate writ, order or direction especially a writ in the nature of Mandamus directing the respondents to release the amount of gratuity alongwith 18% interest from the date of retirement till the date of payment to the petitioner.

Today affidavit of Devender Dahiya, Engineer-in-Chief Public Health Engineering Department Haryana has been filed on behalf of respondent No.3, the same is taken on record. Copy of the same has been furnished to the counsel opposite.

Learned State Counsel has drawn the attention of this Court on paragraph No. 6 of the affidavit wherein it has been narrated that the Treasury

Officer Gurugram vide Memo No.1454 dated 13.11.2025 (R-2) asked the petitioner to present the requisite documents and thereafter, Rs. 1000000/- of gratuity amount were released on 03.09.2025 in favour of the petitioner that is well before the date of hearing before this Court i.e. 27.10.2025.

On the basis of the above factual position, learned State Counsel submits that the petitioner has approached this Court by suppressing material facts and by making assertions contrary to the official record. Such conduct, it is urged, amounts to making incorrect and misleading statements before this Court, thereby constituting a deliberate concealment of facts. According to learned State Counsel, this not only undermines the sanctity of the judicial process but also amounts to abuse of the process of law, warranting dismissal of the petition on this ground alone.

This Court finds merit in the said contention. The petitioner, despite having received the gratuity amount prior to filing the present petition, has chosen to misstate facts with the apparent purpose of securing issuance of notice of motion and projecting an erroneous grievance. Such conduct is highly deplorable. Litigants are expected to approach the Court with clean hands, and any attempt to obtain relief on the basis of false averments cannot be countenanced. The act of withholding relevant information has unnecessarily consumed valuable judicial time and has also led to unwarranted expenditure of public funds by compelling the State to contest a claim that no longer survived.

However, this Court cannot ignore that gratuity is a statutory right and that timely payment of gratuity is a legal obligation of the employer. Even though the petitioner has indulged in suppression, the factual record indicates that there was delay on the part of the respondents in disbursing the gratuity amount.

Statutory benefits such as gratuity carry with them the right to reasonable interest

for the period of delay, unless the delay is attributable to the employee which is not the case here. Hence, the petitioner shall be entitled to simple interest at the rate of 6% per annum on the delayed payment of gratuity, from the date it became due till the date of its actual disbursement.

Petition stands disposed of.

Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

04.12.2025
anuradha

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