



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

**Date of Decision: 12.05.2025
CWP-25925-2022**

RATTAN CHAND ... PETITIONER
VS.
STATE OF PUNJAB AND OTHERS .. RESPONDENTS

CWP-25946-2022

BAHADUR SINGH ... PETITIONER
VS.
STATE OF PUNJAB AND OTHERS .. RESPONDENTS

CWP-26000-2022

KULDIP CHAND ... PETITIONER
VS.
STATE OF PUNJAB AND OTHERS .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Neeraj Sharma Advocate
for the petitioners.

Ms. Akshita Chauhan, DAG, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present bunch of petitions, the challenge is to the order dated 06.06.2022 (Annexure P-7) by which, the claim of the petitioner(s) for grant of interest on the delayed payment of retiral benefits has been denied. For the sake of convenience facts are drawn from CWP-25925 of 2022.

2. Learned counsel for the petitioner(s) argues that the petitioner attained the age of superannuation on 31.03.2017. Thereafter, he applied for extension in service which was granted to him from 01.04.2017 till 31.03.2018. Learned counsel submits that, however, the extension of the

service period of petitioner was curtailed and he was abruptly retired on 24.10.2017 which curtailment of extension was challenged by the petitioner by filing the writ petition bearing CWP-25957 of 2017. Learned counsel submits that after the retirement, his pensionary benefits were released by the respondents starting from March, 2019 to February, 2020. Hence, the petitioner has received the retiral benefits after a delay and, therefore, the respondents be directed to grant the interest on the said payments, which have wrongly been denied by impugned order dated 06.06.2022 (Annexure P-7).

3. Upon notion of motion, the respondents have filed the reply wherein they have stated that unless and until, the requisite forms for release of benefits are submitted by an employee, the amount qua the benefits admissible to such employees cannot be released and in the present case, the requisite forms were submitted by the petitioner on 15.04.2019 and within a period of one month of the submission of the same, the payments admissible to petitioners were released and, therefore, there was no delay on the part of the department to release the pensionary benefits rather, the delay is attributable to the petitioner by not submitting the required forms for release of the pensionary benefits.

4. I have heard learned counsel for the parties and have gone through the record with their able assistance.

5. It is a conceded fact that as per the Rule governing the service, an employee is required to file a form for disbursement of pension six months prior to the date of retirement so that, upto the date of retirement, the same are processed and the amount of retirement benefits admissible to an employee is released immediately upon retirement. In the present case,

the petitioner was to retire on 31.03.2017 and hence, he was required to fill up the requisite forms much before 31.10.2016. It is a conceded position that the requisite forms to avail the benefits of retirement were submitted on 15.04.2019. The said forms were not submitted by the petitioner as, he was disputing his curtailment of extension in service. That being so, the respondents could not have released the pensionary benefits admissible to the petitioner unless and until, all the requisite forms which are required to be submitted by the petitioner are received in all respects. Further, in the impugned order, it is clear that the said forms were submitted on 15.04.2019 and within a period of one month, the benefits were released. Hence, there is no inordinate delay on the part of the respondents in release of the pensionary benefits.

6. Keeping in view the totality of the circumstances, as the delay in release of the pensionary benefits is not attributable to the respondent-Department, no ground is made out to interfere in the present petitions and the same are, accordingly, dismissed.

7. Pending applications, if any, also stand disposed of.

8. Photocopy of this order be placed on the connected file.

(HARSIMRAN SINGH SETHI)
JUDGE

12.05.2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No