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

CWP-29809-2024

Date of decision: 03.12.2025

Rajinder Kumar

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sumit Dua, Advocate
for the petitioner.

Mr. Vikas Sonak, AAG, Punjab.

Ms. Harpriya Khaneka, Advocate
for respondents No.2 to 4-PSPCL.**HARPREET SINGH BRAR, J. (ORAL)**

1. The 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 release/grant the interest on the gratuity on the ground of delayed payment @ 12% per annum from the date of amount due to its realization i.e. 31.08.2020 to date of actual payment and on pension amount (20% amount of pension withheld for two years i.e. 01.10.2020 to 31.07.2022) @ 12% per annum.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner retired on 31.08.2020. One show cause notice was issued on 12.05.2020 prior to the retirement of the petitioner which was already consigned to record on 18.07.2023 as discernible from Annexure P-3. Another show cause notice dated 15.09.2020 was issued to the petitioner after his retirement and the same has also been culminated in issuing a warning letter to the petitioner as discernible from order dated 16.03.2021 (Annexure P-4). Thereafter, the gratuity of the petitioner was released on 09.11.2023 after a considerable delay and further 20% of the amount of pension was withheld by the respondents for a period of two years as such, the petitioner is entitled for



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the interest on delayed payment of the said gratuity as well as the withheld amount of 20% of pension which was released on 31.07.2022. The petitioner relies upon the judgment rendered by a Full Bench of this Court in ***A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343.***

3. Ms. Harpriya Khaneka, Advocate puts in appearance on behalf of respondents No.2 to 4 and files her *vakalatnama* in the Court today which is taken on record and she is not in a position to controvert the facts as contained in the writ petition.

4. Having heard learned counsel for the parties and after perusal of the record, it transpires that the petitioner retired on 31.08.2020, whereas, his gratuity was released on 09.11.2023 and 20% of the withheld pension was released on 31.07.2022.

5. In view of the above discussion, the present writ petition is disposed of with a direction to the respondents to release interest @ 6% per annum on the delayed payment of gratuity from two months after the date of retirement of the petitioner till the date of its actual realization as well as on the withheld amount of 20% pension for the period it remained unpaid and the same shall be released to the petitioner within a period of three months from the date of receipt of a certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

03.12.2025

Neha

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