



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

205

CWP-13280-2001

Date of Decision: 27.02.2026

S. C. PREMI**...Petitioner(s)****Versus****STATE OF HARYANA AND OTHERS****...Respondent(s)****CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

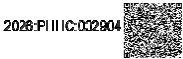
Present: Mr. Naveen Jhajholia, Advocate with
Mr. Rajeshwar Oswal, Advocate
for the petitioner.

Mr. Aakash Singla, Additional Advocate General, Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *certiorari* quashing the memos dated 16.05.2001 and 11.08.2001, Annexures P-6 and P-9, respectively, whereby an amount of ₹65,845, due as penal rent from the petitioner from 18.04.1993 to 11.02.1994, has been recovered out of the gratuity and leave encashment payable to him.

2. Learned State counsel contended that the petitioner unauthorisedly stayed in the Government accommodation from 18.04.1993 to 11.02.1994, while working as Principal in Government College, Sirsa. Accordingly, the Public Works Department assessed the penal rent payable by him at ₹65,845. On being asked to make the payment, he deposited only an amount of ₹4453. Accordingly, the outstanding amount was adjusted against the gratuity and leave encashment due to him. He also contended that the petitioner retired from service on 31.08.1998, but at that time the disciplinary proceedings initiated against him pursuant to chargesheet dated 17.03.1994 were pending. These proceedings were



dropped after considering his reply on 16.10.1998. Thereafter, the remaining retiral benefits were released. Accordingly, there was no delay in releasing the same.

3. These factual assertions have been made on the basis of written statement filed on behalf of the respondents, which have not been disputed.

4. It is apparent on record that the reason for not releasing full retiral benefits to the petitioner was his liability to pay penal rent of ₹65,845, assessed by the Department vide memo dated 24.04.2000. The assessment was conveyed to him vide memo dated 02.11.2000, Annexure P-1, but he neither challenged the assessment, nor deposited the rent which was adjusted against the due amount of gratuity and leave encashment. It is also not in dispute that the remaining retiral benefits were released to the petitioner after the pending disciplinary proceedings were dropped. Accordingly, it cannot be said any amount remains due to the petitioner towards his retiral benefits or that there has been delay in releasing the same.

5. Dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

27.02.2026
Ad

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