



CWP-4226-2024(O&M)

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

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CWP-4226-2024(O&M)

Date of Decision :02.04.2026

Balwinder Singh

.. Petitioner

Versus

State of Haryana & ors.

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sandeep S. Majithia, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

Mr. Samarth Sagar, Advocate
for respondent No.3.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition(s) has been filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing respondent No.3 to pass requisite order and release the retiral benefits i.e. the gratuity and leave encashment of the petitioner along with 18% interest per annum on account of the unnecessary and inordinate delay of more than one year from the date of his retirement in releasing the same consequent upon his retirement as per the provision of Rule 146 of the Haryana Civil Services Rules, 2016, in view of his retirement order bearing office Endst. No.HSCLCF/Estt./2022-23/1790-99 dated 21.12.2022 (Annexure P-3).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner joined the service of respondent No.3 as Clerk on *ad hoc* basis in

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the year 1999, and was later on regularized in terms of the Haryana Government Regularization Policy dated 01.10.2003. The petitioner sought voluntarily retirement on 25.03.2022. The Board of Directors of respondent No.3 in their meeting dated 06.12.2022 decided to accept the request of the petitioner for voluntarily retirement and on 21.12.2022 (Annexure P-3), the petitioner was retired. However, the retiral dues of the petitioner have not been released, which compelled the petitioner to approach this Court.

3. Learned counsel for the petitioner at the outset submits that the retiral dues of the petitioner have been paid in terms of the order passed by the Managing Director of respondent No.3 on 23.06.2025. However, no interest has been paid on account of delay.

4. Learned State counsel affirmed the fact that orders were passed on 23.06.2025 releasing the gratuity, leave encashment and other retiral benefits and some delay has occurred in releasing the same.

5. Having heard the submissions made by learned counsel for the parties and after perusing the record with their able assistance, it transpires that the petitioner has served respondent No.3 and has sought voluntarily retirement w.e.f 31.07.2022 and his request was accepted and a formal order of retirement was issued on 21.12.2022, whereas his retiral dues were released in terms of the order passed by Managing Director of respondent No.3 on 23.06.2025. As such, on account of the delay in releasing the retiral benefits, the petitioner is entitled to interest in terms of the judgment



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rendered by a Full Bench of this Court in *A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343*, wherein it was opined that disbursement of pension and other benefits payable at retirement must be done in a timely manner. Any delay over a period of two months qua the said disbursement would entitle the retired employee to claim interest on the amount due.

5. In view of the above, the present petition is disposed of and respondent No.3 is directed to calculate the interest @ 6% on the delayed payment of retiral dues from after two months of the date of petitioner's retirement till its actual realization in lieu of all admissible retiral dues and paid to the petitioner within 03 months from the date of receipt of a certified copy of this order.

6. Pending miscellaneous application(s), if any, also stands disposed of.

02.04.2026
monika

(HARPREET SINGH BRAR)
JUDGE

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