



RSA-1532-2000 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-1532-2000 (O&M)

Haryana State Electricity Board, Panchkula and anr. ...Appellants

Versus

Guran Ditta

...Respondent

Reserved on: 29.04.2026

Pronounced on: 30.04.2026

Uploaded on: 04.05.2026

<i>Whether only the operative part of the judgment is pronounced?</i>	<i>NO</i>
<i>Whether full judgment is pronounced?</i>	<i>YES</i>

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Udit Garg, Advocate
for the appellant.Mr. Naveen Daryal, Advocate
for the respondent.

* * * * *

SUDEEPTI SHARMA, J.

1. The present regular second appeal is preferred against judgment and decree dated 22.05.1997 passed by learned Civil Judge (Jr. Division), Panipat, as well as judgment and decree dated 02.11.1999 passed by learned Additional District Judge, Panipat, whereby, civil suit filed by respondent was decreed in his favour and the appeal filed by the appellants was dismissed.

***BRIEF FACTS OF THE CASE***

2. Brief facts of the case as per civil suit are that respondent was working with the appellants-department as Lorry Driver and had retired at the time of filing of civil suit. There was some defect in his eye for which he applied for earned leave which was duly sanctioned from 11.04.1989 to 15.08.1989 and after undergoing eye operation, he became fit to join the duty and when he went to office to resume charge, he was not allowed and was not also paid salary for that period. Because of which he was constrained to file civil suit which was filed on 23.12.1989 and the same was decided on 16.05.1994. In the meanwhile, the respondent was prematurely retired from the post of lorry driver on 03.12.1990 and was paid Rs.1,03,990/- as arrears of pension and gratuity on 13.03.1995. He was also paid a sum of Rs.22,880/- as leave encashment for unutilized period of 11.03.1995 through cheque dated 11.01.1995 but he was not paid retiral benefits for which he was legally entitled to. Since there was inordinate delay of 4 years, 03 months and 2 days in payment of pension, gratuity & leave encashment, therefore, the respondent filed civil suit seeking interest on delayed payment.

3. The civil suit filed by him was decreed in his favour vide judgment and decree dated 22.05.1997 passed by learned Civil Judge (Jr. Division), Panipat and the appeal filed by the appellants against the same was dismissed, vide judgment and decree dated 02.11.1999 passed by learned Additional District Judge, Panipat. Hence, the present regular second appeal.

4. Learned counsel for the appellants contends that both the Courts did not appreciate the evidence on record before decreeing the civil suit filed



by respondent and dismissing the appeal filed by the appellants. He, therefore, prays that the present appeal be allowed and judgment and decree dated 22.05.1997 passed by learned Civil Judge (Jr. Division), Panipat as well as judgment and decree dated 02.11.1999 passed by learned Additional District Judge, Panipat be set aside.

5. Per contra, learned counsels for respondent contends that both the Courts have rightly appreciated the evidence on record while decreeing the civil suit filed by the respondent and dismissing the appeal filed by the appellant. He, therefore, prays that the present regular second appeal be dismissed.

6. I have heard learned counsel for the parties and perused the whole record of the case with their able assistance.

ANALYSIS OF THE RECORD

7. A perusal of the record shows that admittedly, the respondent was paid leave encashment dues on 11.01.1995 and 13.03.1995 and his pension and gratuity were paid on 13.03.1995. A perusal of the record further shows that retiral benefits were not released even after expiry of 4 years. The respondent was forced to move several applications and to visit the office for release of pension and gratuity which caused hardship to the respondent. Therefore, admittedly there is delay of more than 04 years in payment of retiral benefits

8. Reference at this stage can be made to a judgment of this Court in a case of ***State of Haryana and others vs. Satwant Singh and anr, 2026 NCPHHC 30996*** wherein this Court held that the employee is entitled to

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interest @ 18% per annum for delayed payment of retiral benefits to the respondent.

9. In view of the above, I do not find any infirmity in the impugned judgment and decree dated 22.05.1997 passed by learned Civil Judge (Jr. Division), Panipat, as well as judgment and decree dated 02.11.1999 passed by learned Additional District Judge, Panipat and the same are upheld.

10. Accordingly, the present regular second appeal is ***dismissed***.

11. Decree sheet be prepared accordingly.

12. Pending application(s), if any, also stand disposed of.

30.04.2026*Gaurav Arora***(SUDEEPTI SHARMA)
JUDGE**

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