



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-11802-2026 (O&M)
Date of decision: 13.05.2026

Savita Rani

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. R.K. Arora, Sr. Advocate
with Mr. Shivam Ahuja, Advocate for the petitioner.

Ms. Pratibha Bali, AAG, Punjab.

Mr. H.S. Randhawa, Advocate for respondent No.3.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the action of the respondents in not releasing the family pension, gratuity and other due death-cum-retirement benefits to the petitioner in respect of the service rendered by her deceased husband namely late Sh. Ashwani Kumar Sikka, who died on 19.03.2024. Further a writ of *mandamus* has been sought, directing the respondents to release the family pension, gratuity and other due death-cum-retirement benefits to the petitioner in respect of the service rendered by her deceased husband with interest @ 18% per annum for delay in terms of the law laid down by the Full Bench of this Court in ***A.S. Randhawa vs State of Punjab, 1997(3) RSJ 318.***



2. On 20.04.2026, the following order was passed:-

Learned counsel for the petitioner, inter alia, contends that the husband of the petitioner joined service with the Municipal Corporation, Ludhiana on 09.11.2000 as a Junior Engineer under the handicapped category and earned promotions during his service tenure. He unfortunately expired on 19.03.2024. He further submits that no charge-sheet, departmental enquiry or criminal proceedings were pending against him during his lifetime. Even otherwise, it is a settled law that upon the death of an employee, any pending disciplinary proceedings stand abated. Despite this, the respondents have failed to release the family pension and gratuity to the petitioner and only partial retiral benefits have been disbursed. The sole ground for withholding the remaining benefits is stated to be the non-availability of certain records pertaining to the year 2008, which cannot be attributed to the petitioner. He further submits that the petitioner, being a widow, cannot be made to suffer on account of administrative lapses on the part of the respondents and she is dependent upon the retiral benefits of her deceased husband for sustenance.

Mr. H.S. Randhawa, Advocate, appears on advance notice on behalf of respondent No.3 and seeks time to get instructions in the matter.

This Court is prima facie satisfied with the arguments raised by learned counsel for the petitioner. In the absence of any disciplinary proceedings, there appears to be no justification for withholding the retiral benefits of the deceased employee. As such, one opportunity is granted to the respondents to release the admissible retiral dues to the petitioner within a period of two weeks from today, along with interest @ 6% per annum, to be calculated after



the expiry of two months from the date of death of the employee till its actual realization. In case of non-compliance, this Court shall be constrained to take coercive steps, including attachment of the salary of respondent No.3, on the next date of hearing.

List again on 13.05.2026.

3. Today, learned counsel for respondent No.3, on instructions from Mr. Rohit Gill, Department of Controller Finance and Accounts, Punjab, submits that the gratuity amount has already been released to the petitioner and the arrears of pension shall be credited to her account during the course of the day. He further submits that interest @ 6% per annum on account of delay in releasing the retiral dues shall also be paid to the petitioner within a period of four weeks from today.
4. In view of the statement made by learned counsel for respondent No.3, learned Senior Counsel appearing for the petitioner submits that the grievance of the petitioner raised in the present petition stands redressed and the present petition may be disposed of as having been rendered infructuous.
5. Ordered accordingly.

(HARPREET SINGH BRAR)
JUDGE

13.05.2026
yakub

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