2026:PHHC:089407

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

226 CWP-14676-2021

Date of Decision: **02.07.2026**

Inderjeet Singh Banta and others

....Petitioners

VERSUS

Kurukshetra University and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Ashutosh Kaushik, Advocate for the petitioner.

Mr.A.S. Virk, Advocate for the respondents-University.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* directing the respondents to grant the petitioners interest at the rate of 18% p.a. on delayed payment i.e. arrears of pension from their respective dates of retirement (as mentioned in para 17 of the petition) till actual date of payment i.e. 05.05.2021 and to pay the interest @ 18% p.a. on delayed payment of arrears from due date (01.01.2020) till date of actual payment i.e. 05.05.2021.

2. Learned counsel for the petitioners, *inter alia*, contends that the petitioners retired from various departments of the respondent-University. It is submitted that pursuant to the opportunity granted by the respondent-University for switching over from the Contributory Provident Fund Scheme (CPF) to the Pension Scheme vide Notification dated 20.09.2019 (Annexure P-4), the petitioners exercised their option within the stipulated period. In compliance with the demand raised by the respondent-University, the petitioners deposited the entire CPF amount along with interest calculated from the date of their respective retirement till the date of deposit. Thereafter, the respondent-University sanctioned pension in favour of the petitioners with effect from 01.01.2020. However, despite completion of all requisite formalities, the arrears of pension from the respective dates of retirement till 31.12.2019 were not released simultaneously and came to be released only vide University letter dated 05.05.2021 (Annexure R-12). Learned counsel submits that the petitioners are, therefore, entitled to interest on account of the delayed release of arrears of pension. In support of the submission, reference has also been made to the tabulated details contained in paragraph 17 of the writ petition reflecting the amount deposited by each of the petitioners along with interest.

3. *Per contra*, learned counsel for the respondent-University opposes the writ petition and submits that the Pension Scheme was introduced in the year 1997 with effect from 01.04.1995. The petitioners did not exercise their option when opportunities were initially granted in the

years 1997 and 2004 and remained indolent in opting for the Pension Scheme. Subsequently, pursuant to the decision of the State Government and Notification dated 20.09.2019 (Annexure P-4), another opportunity was granted to the left-out employees and retirees to opt for the Pension Scheme. The petitioners thereafter exercised their option on 30.11.2019 and deposited the entire CPF amount along with the applicable interest, as required under the Scheme, since they had retained and utilized the CPF amount after their retirement. Thereafter, pension was sanctioned and released with effect from 01.01.2020. Learned counsel, however, fairly does not dispute the fact that the arrears of pension were released only vide communication dated 05.05.2021 (Annexure R-12).

4. I have heard learned counsel for the parties and have gone through the paper book with their able assistance.

5. It is not in dispute that pursuant to Notification dated 20.09.2019 (Annexure P-4), the petitioners exercised their option for switching over from the CPF Scheme to the Pension Scheme and deposited the entire CPF amount together with interest as demanded by the respondent-University. The respondent-University accepted the option exercised by the petitioners and sanctioned pension in their favour with effect from 01.01.2020. Thus, the entitlement of the petitioners to receive pension stood duly recognized.

6. The only issue which survives for consideration is whether the petitioners are entitled to interest on the delayed payment of arrears of pension.

7. Admittedly, although pension became payable with effect from 01.01.2020, the arrears of pension were actually released only vide University letter dated 05.05.2021 (Annexure R-12). Once the petitioners had fulfilled all the conditions prescribed under the Scheme and deposited the requisite CPF amount along with interest, the consequential pensionary benefits ought to have been released within a reasonable period. The petitioners cannot be made to suffer on account of delay in release of their admitted dues. Pensionary benefits are no longer considered to be a bounty but constitute a valuable and vested right of a retired employee.

8. The controversy involved in the present petition is no longer res integra. The issue is squarely covered by the Full Bench judgment of this Court in ***A.S. Randhawa, Superintending Engineer (Retd.) vs. State of Punjab, 1998 (1) SCT 343***, wherein it has been held that pensionary and retiral benefits are required to be released within a reasonable period and where there is an unjustified delay in disbursement of such benefits, the retiree is entitled to be compensated by way of payment of interest. The principle laid down therein applies with equal force to the facts of the present case. Once the petitioners became entitled to pension with effect from 01.01.2020, the respondent-University was under a corresponding

obligation to release the consequential arrears within a reasonable time. Having failed to do so, the petitioners are entitled to reasonable interest on the delayed payment of arrears.

9. Consequently, the present writ petition is disposed of with a direction to the respondents/competent authority to calculate and release interest @ 6% per annum on the arrears of pension payable to the petitioners for the period from 01.01.2020 till 05.05.2021, within a period of three months from the date of receipt of a certified copy of this order.

10. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

02.07.2026
Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No