



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

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CWP-16397-2026

Date of Decision: **22.05.2026**

Parbati Devi @ Parwati Devi

....Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Peeush Gagneja, Advocate
for the petitioner.

Ms. Pratibha Bali, AAG Punjab.

Ms. Gurneet Sagoo, Advocate
for respondent No.5.

HARPREET SINGH BRAR, J. (Oral)

1. The present 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 release interest on the delayed payment of the petitioner's service-cum-retirement dues in view of the law laid down by this Court in *A.S. Randhawa Supdg. Engineer (Retd.) vs. State of Punjab, 1997 (3) SCT 468*. Further prayed that the petitioner has

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served several representations, including the last representation dated 25.07.2024 (Annexure P-6), however, the respondents have illegally denied the claim through reply dated 13.03.2023 (Annexure P-4), inasmuch as the claim for interest for the delayed period has neither been considered nor granted.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner retired as Safai Sewika from Municipal Council, Malout on 30.11.2019, whereas the respondents released the retiral benefits in several instalments over a period of nearly two years, with the final payment being made only on 02.07.2021, i.e. approximately 20 months after retirement. It is further submitted that on the eve of retirement of the petitioner no disciplinary proceedings were pending against him and that he retired with clean record. The petitioner had earlier filed CWP No.14393 of 2020, which was disposed of by this Court vide order dated 25.08.2022 (Annexure P-2), granting liberty to the petitioner to claim interest on delayed payment. Pursuant thereto, the petitioner served legal notice dated 10.10.2022 (Annexure P-3) claiming interest on the delayed payments. In response, the department issued reply dated 13.03.2024 (Annexure P-4), admitting the delay in release of the payments, but neither disclosing any reason for such delay nor granting any interest. Thereafter, the petitioner again approached this Court by filing CWP No.14859 of 2024, which was disposed of on 03.07.2024 (Annexure P-5), granting liberty to the petitioner to file a

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representation and directing the respondents to decide the same within two months. In compliance thereof, the petitioner submitted a detailed representation dated 25.07.2024 (Annexure P-6), seeking interest @18% per annum on the delayed payments. However, till date, no action has been taken by the respondents on the petitioner's claim, nor has any reasoned order been passed. As such, the petitioner is legally entitled to interest on the delayed release of retiral dues in terms of the judgment rendered by the Full Bench of this Court in *A.S. Randhawa Supdg. Engineer (Retd.) vs. State of Punjab, 1998 (1) SCT 343*.

3. Notice of motion.

4. Ms. Pratibha Bali, AAG, Punjab, appeared and accepted notice on behalf of the respondent-State. Ms. Gurneet Sagoo, appearing on advance notice on behalf of respondent No.5, submitted that the representation dated 25.07.2024 (Annexure P-6) had been rejected vide speaking order dated 25.09.2024. However, she could not controvert the fact that no disciplinary proceedings were pending against the petitioner on the eve of her retirement.

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 retired on 31.11.2019. However, his retiral benefits were released in instalments and last payment was made only on 02.07.2021. As such, the petitioner is entitled to interest on account of delay in releasing the



retiral dues and this Court is also cognizant of the fact that the petitioner was compelled to approach this Court third time and the petitioner is a retired Class IV employee who has been put to unnecessary inconvenience and hardship due to the administrative apathy by the respondents.

6. The lis, thus, survives in a narrow compass, confined to the claim of interest on the delayed disbursement of retiral dues. The issue is no longer *res integra*. The case of the petitioner is squarely governed by the dictum of the Full Bench in *A.S. Randhawa (supra)*, wherein it has been authoritatively enunciated that pension and retiral benefits are not bounty but a vested right, and that any culpable delay in disbursement beyond a reasonable period quantified therein as two months would entail liability to pay interest on the belated payments.

7. In the conspectus of the aforesaid facts and settled legal position, and without embarking upon any further adjudication on ancillary aspects, the present writ petition allowed with cost of Rs.20,000/- to be paid to the petitioner. The respondents/competent authority is directed to compute and release interest on the delayed payment of retiral dues payable to the petitioner @ 6% per annum. Such interest shall be calculated from two months after the retirement till its actual realization. The needful be done within a period of three months from the date of receipt of a certified copy of this order.

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8. However, liberty is granted to respondents to recover the cost from the official responsible for compelling the petitioner to knock the doors of this Court thrice.

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

(HARPREET SINGH BRAR)
JUDGE

22.05.2026

parul verma

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No