

CWP-13967-2023

2026:PHHC:075234



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

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Date of Decision: **13.05.2026**

Ram Dhan Pandir

....Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Ms. Parbeer Kumari Dharwal, Advocate for Mr.Gunjan Mehta,
Advocate for the petitioner.

Mr. Piyush Khanna, Addl. AG Haryana.

Mr. Padamkant Dwivedi, Advocate for respondent No.2.

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to grant justified interest, preferably @ 12% per annum, on the delayed payment of pensionary/retiral benefits detailed in Tables A to E of Annexure P-17 dated 03.07.2023, amounting to Rs.15,89,061/- (calculated till the assumed date of 30.09.2023), which amount, according to the petitioner, was illegally withheld and retained by the respondents without any lawful justification.

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2. On 12.01.2026, the following order was passed:-

“Learned counsel for the petitioner, inter alia, contends that the petitioner retired on 31.05.2015 and an amount of Rs.7,22,456/- was withheld out of payable gratuity of Rs.10,00,000/-, whereas the balance amount of Rs.2,77,544/- was released on 08.10.2015 vide Annexure P-9. The retiral benefits of the petitioner were withheld, which constrained the petitioner to file CWP-22498-2015. Earlier writ petition bearing CWP-22498-2015 filed by the petitioner seeking promotion to the post of Engineer-in-Chief was allowed vide judgment dated 14.03.2017. Being dissatisfied with the order dated 14.03.2017, the petitioner filed intra-court appeal bearing LPA-1308-2017, which was partly allowed by the Division Bench of this Court vide judgment dated 06.07.2022 to the extent that the petitioner was held entitled to the regular pay scale attached to the post of Engineer-in-Chief for the period during which he discharged duties of the said post involving higher responsibilities on current duty charge basis w.e.f. 26.06.2014 to 31.05.2015. The petitioner was also held entitled to interest on the arrears @ 6% per annum from the date the same became due till actual release thereof.

In purported compliance of the aforesaid judgment, the pay of the petitioner was re-fixed and his retiral dues were subsequently released. Thereafter, the petitioner submitted representation dated Annexure P-15 followed by legal notice Annexure P-16. Learned counsel contends that interest on the delayed release of retiral dues, particulars whereof have been furnished in para 23 of the writ petition, has still not been paid

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and, therefore, the petitioner claims interest for the delayed period regarding the said amount.

Written statement on behalf of respondent No.2 filed in Court today is taken on record. Copy thereof has been supplied to learned counsel for the petitioner. Registry is directed to tag the same at an appropriate place in the paper-book.

List on 13.05.2026 for arguments.”

3. Learned counsel for respondent No.2, at the very outset, submits that during the pendency of the present writ petition, the petitioner had already availed the departmental remedy by filing an appeal before respondent No.1 seeking grant of interest on delayed payment of retiral dues. Learned counsel further refers to order dated 13.06.2025 (Annexure R-2/1), whereby the appeal preferred by the petitioner came to be allowed and respondent No.1 held the petitioner entitled to interest at the applicable GPF rate i.e. @ 7.1% per annum. It has further been submitted that the aforesaid order has already been implemented and the amount towards interest @ 7.1% has also been released to the petitioner.

3.1 Learned counsel further submits that in case the petitioner is still aggrieved by the quantum/rate of interest granted vide order dated 13.06.2025, it shall be open for him to challenge the said order in accordance with law. It is also contended that once the petitioner himself invoked the jurisdiction of the departmental/employer forum for redressal of the identical grievance and the said authority has already adjudicated upon

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the claim by passing a speaking order, the present writ petition, to that extent, has been rendered infructuous.

4. In rebuttal, learned counsel for the petitioner submits that the petitioner still disputes the calculation and payment of interest on account of delay in release of gratuity and contends that the entire admissible amount has not yet been paid to him.

5. I have heard learned counsel for the parties and have gone through the pleadings as well as the documents available on record with their able assistance. It transpires that during the pendency of the present writ petition, the petitioner approached respondent No.1 by way of filing an appeal seeking interest on delayed payment of retiral dues. It has further been brought to the notice of this Court by learned counsel for the respondents that the order passed in appeal (Annexure R-2/1) has already been implemented vide order dated 03.04.2026 (copy supplied), which reads as under:-

“In compliance of the Hon’ble High Court’s order dated 08.07.2025 passed in CWP-17039 titled as RD Pandir Versus HSAM Board, the order dated 13.06.2025 passed by the Additional Chief Secretary to Government of Haryana (A&FW) Department, Chandigarh regarding release of interest on withheld amount of DCRG i.e. Rs.7,22,456/- is hereby implemented, subject to final decision of the review filed before the Worthy Additional Chief Secretary to Government of Haryana (A&FW) Department, Chandigarh.”

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6. It has also been brought on record that an amount of Rs.3,50,210/- has already been released to the petitioner towards interest in terms of the aforesaid order.

7. In view of the aforesaid factual position, no further adjudication survives in the present writ petition at this stage. However, in case the petitioner still remains dissatisfied with the quantum of interest released or seeks any further relief arising out of the implementation order dated 03.04.2026 or the appellate order dated 13.06.2025, he shall be at liberty to avail his remedies in accordance with law.

8. Accordingly, the present writ petition stands disposed of in the above terms.

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

(HARPREET SINGH BRAR)
JUDGE

13.05.2026

Puneet Chawla

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