

CWP-16879-2026

2026:PHHC:086179



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

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Date of Decision: **29.05.2026**

Shamsher Singh

....Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Kamal Narula, Advocate for the petitioner.

Mr. Ishan Kaushal, AAG Punjab.

Ms. Prabhjot Kaur, Advocate for respondents No.4 and 5.

HARPREET SINGH BRAR, J. (Oral)

1. On 26.05.2026, the following order was passed by this Court:-

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release the interest @ 18% on the delayed payment of retiral benefits of the petitioner from the date of her retirement i.e. 31.01.2024 till the date of actual payment along with any remaining principal amount in compliance with the order dated 10.09.2024 (Annexure P-1) passed by this Court.

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2. *Learned counsel for the petitioner inter alia contends that the petitioner retired from the service of respondent No.5 on 31.01.2024. However, the retiral dues of the petitioner were not released on the due date. It is further submitted that the retiral benefits were ultimately released in instalments and the last instalment was paid on 03.03.2025. As such, the petitioner is entitled to interest in terms of the judgment rendered by a Full Bench of this Court in **A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343**. The petitioner had earlier approached this Court by way of filing **CWP No.22900 of 2024** titled as **Shamsher Singh Vs. State of Punjab** and others which was disposed of vide order dated 10.09.2024 (Annexure P-1) with a direction to the respondents to decide the claim of the petitioner. However, neither any speaking order was passed nor was any interest paid to the petitioner. Thereafter, after waiting for a considerable period, the petitioner served another legal notice dated 11.05.2026 (Annexure P-2).*

3. *Learned counsel for respondents No.4 & 5 is unable to controvert the fact that there has been delay in the disbursal of the retiral dues to the petitioner.*

4. *Having heard learned counsel for the parties and after perusal of the record with their able assistance, it transpires that the petitioner retired on 31.01.2024 and his retiral dues were not released immediately after retirement rather they were released in installment starting from 07.11.2024 to 03.03.2025 and the petitioner was compelled to approach this Court again. The respondents have neither complied with the directions issued by this Court in CWP No.22900 of 2024 nor paid any*

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interest on account of the delay in release of the retiral dues. The act and conduct of the respondents is not only contemptuous in nature but is also causing undue hardship to a retired Class IV employee.

5. In view of the above, learned State counsel is directed to have necessary instructions from respondent No.2.

6. Adjourned to 29.05.2026.”

2. Learned counsel for respondents No.4 and 5 submits that a speaking order on the legal notice dated 11.05.2026 has already been passed and all admissible retiral dues have been sanctioned in favour of the petitioner. He further submits that a cheque amounting to Rs.99,285/- has been handed over to learned counsel for the petitioner in Court today towards the remaining retiral benefits payable to the petitioner. A copy of the same is taken on record and marked as Mark 'X'. Registry is directed to place the same at an appropriate place on the file.

3. However, learned counsel for respondents No.4 and 5 is not in a position to controvert the fact that the retiral dues of the petitioner became due on 01.03.2024, the petitioner having retired from service on 31.01.2024. The petitioner was constrained to approach this Court for the second time for release of his legitimate dues. The case of the petitioner, therefore, squarely falls within the settled principles governing grant of interest on delayed release of retiral benefits.

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4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. It is an admitted position that the petitioner retired from service on 31.01.2024 and his retiral dues were not released within the prescribed period. Rather, the payments were released in instalments commencing from 07.11.2024 and continuing up to 03.03.2025. It is also not disputed that despite the earlier order passed by this Court in **CWP No.22900 of 2024**, neither was the claim of the petitioner decided within a reasonable time nor was any interest paid on account of delayed release of retiral benefits.

6. The respondents have sought to justify the delay by stating that a speaking order has now been passed. However, such subsequent compliance cannot absolve the respondents of their liability to compensate the petitioner for the inordinate delay in disbursement of retiral dues, particularly when the petitioner was compelled to repeatedly invoke the writ jurisdiction of this Court for securing benefits lawfully due to him.

7. The petitioner, admittedly a retired Class-IV employee, has been unnecessarily deprived of his retiral benefits for a considerable period. Such delay defeats the very object of pensionary and retiral benefits, which are intended to provide financial security and dignity to a retired employee.

8. The controversy involved in the present petition is no longer res integra. The claim of the petitioner stands squarely covered by the



authoritative pronouncement of the Full Bench of this Court in *A.S. Randhawa (supra)*, wherein it has been unequivocally held that pensionary and retiral benefits are not a bounty dependent upon the sweet will of the employer, but constitute a valuable and vested right accruing in favour of an employee upon retirement. It has further been held therein that if such benefits are not released within a reasonable time, ordinarily taken to be two months from the date of retirement, the retiree would be entitled to compensation by way of interest on the delayed payments.

9. In the conspectus of the aforesaid facts and circumstances, as also the settled proposition of law noticed hereinabove, this Court is of the considered opinion that the petitioner has made out a clear case for grant of interest on the delayed release of retiral and pensionary benefits.

10. Consequently, the present writ petition is disposed of with a direction to respondents No.4 and 5/competent authority to calculate and release interest @ 6% per annum on the delayed payment of retiral and pensionary benefits to the petitioner. The aforesaid interest shall be computed after expiry of two months from the date of retirement of the petitioner till the date of actual release of the respective retiral dues. While calculating the amount payable, due credit shall be given for the cheque amounting to Rs.99,285/- handed over to learned counsel for the petitioner in Court today, if the said amount includes, wholly or partly, the interest component payable to the petitioner. In case any further amount towards

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interest remains payable after such adjustment, the same shall be released to the petitioner within a period of three months from the date of receipt of a certified copy of this order.

11. Considering that the petitioner was compelled to approach this Court repeatedly for release of his legitimate dues and valuable judicial time has been consumed on account of the respondents' conduct, costs quantified at Rs.20,000/- are awarded in favour of the petitioner, which shall be paid separately and independently of any other amount payable to the petitioner.

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

(HARPREET SINGH BRAR)
JUDGE

29.05.2026*Puneet Chawla*

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