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

CWP-18353-2026

Date of decision: 29.05.2026

Gurdial Singh

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Nishtha, Advocate for
Mr. Narinder Singh Nehgal, Advocate
for the petitioner.

Mr. Piyush Khanna, Addl.A.G., Haryana.

Mr. Vikrant Pamboo, Advocate
for respondents No.2 to 7.

HARPREET SINGH BRAR, J. (ORAL)

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 retiral benefits i.e. leave encashment of the petitioner along with interest @ 18% per annum from the date it is pending with department till its realization. Further, directing the respondents to release the interest @ 18% per annum on the delayed period of releasing the retired benefits from the period 30.06.2013 (date of retirement) to 17.04.2014 (date of releasing of the above said benefit of the department) till its realization.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner joined the respondent, erstwhile Haryana State Electricity Board (HSEB) in the year 1980 as Assistant Lineman. The petitioner retired as Assistant Foreman on 30.06.2013. On the eve of retirement, there was no



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pending criminal case or departmental proceedings against the petitioner. The retiral dues of the petitioner were not released on the due date. The commutation of pension and DCRG/gratuity was released on 17.04.2014 as discernible from Annexures P-1 & P-2, respectively, after a delay of ten months. Further, leave encashment of the petitioner has not been released till date despite repeated requests. The petitioner made a written and oral requests from the date of retirement and ultimately, served a legal notice on 20.11.2025 (Annexure P-3) which remained unheeded.

3. She further relies upon 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* and submits that the petitioner is entitled to interest on account of delay in releasing his retiral dues and she submits that she would be satisfied if the legal notice (Annexure P-3) of the petitioner is decided by respondent No.2 by passing a speaking order in a time bound manner.

4. Learned counsel appearing on behalf of respondents No.2 to 7 submits that he has no objection in case a direction is issued to respondent No.2 for time-bound consideration and decision of the legal notice of the petitioner by passing a speaking order.

5. Having heard learned counsel for the parties and after perusal of the record with their able assistance, it transpires that the petitioner retired on 30.06.2013 and on the eve of his retirement, there was no pending disciplinary proceedings or charge sheet against the petitioner. The leave encashment has not been released till date and the commutation of pension and gratuity was



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released after a delay of ten months. 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.)'s case (supra)***.

6. In view of the above, the present civil writ petition is disposed of with a direction to respondent No.2 to consider the claim of the petitioner and pass a speaking order satisfying the objective standards of reason and justice after affording the petitioner an opportunity to be heard. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be released along with interest @ 6% per annum, to be calculated two months from the date of retirement, till its actual realization.

7. Needful be done within a period of 03 months from the date of receiving a certified copy of this order, failing which, the petitioner would be at liberty to move an appropriate application under Article 215 of Cr.P.C. of the Constitution of India to initiate contempt of Court proceedings..

8. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

29.05.2026

Neha

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