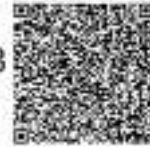


CWP-19539-2024 (O&M)

2026:PHHC:072068



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

207

CWP-19539-2024 (O&M)

Date of Decision: **08.05.2026**

Surender Kumar

....Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Shubham Mirok with Mr. Abhishek Rana, Advocates the petitioner.

Mr. Piyush Khanna, Addl. AG Haryana.

Ms. Nikita Goel, Advocate for respondent No.4.

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 pay interest @ 18% per annum on the delayed release of retiral and pensionary benefits, which admittedly came to be disbursed to the petitioner after an inordinate delay of more than one year from the date of his retirement.

2. Learned counsel for the petitioner submits that the grievance raised in the present petition lies in a narrow compass and is confined solely to the claim of interest on account of delayed disbursement of retiral dues. It

CWP-19539-2024 (O&M)

2026.PHHC.072068



is contended that although the retiral benefits have eventually been released to the petitioner, the same were not paid within a reasonable time, thereby causing undue financial hardship and mental agony to the petitioner after retirement.

3. Learned counsel further submits that the petitioner retired from service on 31.01.2023 while serving on the post of Accounts Officer and that his retiral dues were released only on 24.04.2024. It is contended that on the date of retirement, no charge-sheet, disciplinary proceedings, departmental inquiry or criminal proceedings were pending against the petitioner and, therefore, there existed no legal impediment whatsoever for withholding or delaying the release of his retiral benefits. Learned counsel submits that such inordinate and unexplained delay, per se, entitles the petitioner to grant of interest in view of the law laid down by the Full Bench of this Court in *A.S. Randhawa, Superintending Engineer (Retd.) vs. State of Punjab, 1998 (1) SCT 343*, wherein it has been held that retiral benefits are required to be released within a reasonable period and that any culpable delay in releasing the same would render the employer liable to compensate the retiree by way of payment of interest.

4. *Per contra*, learned State counsel as well as learned counsel for respondent No.4 are not in a position to dispute the factual position that the retiral dues of the petitioner were released belatedly. It has been submitted that the delay occurred on account of certain query raised by the Vigilance

CWP-19539-2024 (O&M)

2026.PHHC.072068



Department. However, there is no denial to the fact that the petitioner retired from service with a clean record and that no charge-sheet or disciplinary proceedings were pending against him either on the date of retirement or thereafter.

5. I have heard learned counsel for the parties and have perused the record with their able assistance. Admittedly, the retiral dues of the petitioner were not released within the stipulated or reasonable period. The explanation sought to be furnished by the respondents does not constitute a justifiable ground for withholding the retiral benefits of the petitioner for such a prolonged duration, particularly when no disciplinary or judicial proceedings were pending against him. The delay in release of retiral dues is, thus, held to be wholly inordinate, unjustified and unexplained.

6. 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.

CWP-19539-2024 (O&M)

2026.PHHC.072068



7. In the conspectus of the aforesaid facts and the settled proposition of law noticed hereinabove, and without entering into any further adjudication on ancillary issues, the present writ petition is disposed of and the respondents/competent authority are directed to calculate and release interest on the delayed payment of retiral and pensionary dues to the petitioner @ 6% per annum. The aforesaid interest shall be computed from the date immediately following expiry of two months from the date of retirement of the petitioner till the date of actual release of the retiral dues. The aforesaid exercise be completed within a period of three months from the date of receipt of a certified copy of this order.

8. Pending miscellaneous application(s), if any, shall stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

08.05.2026
Puneet Chawla

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