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

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Date of Decision: **10.04.2026**

Purshottam Parkash

.....Petitioner

VERSUS

Uttar Haryana Bijli Vitran Nigam and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Krishan Singh with Mr. Deep Singh Saini, Advocates for
the petitioner.

Ms. Vasundhra Asija Bhandari, Advocate for the respondents
(through V.C).

HARPREET SINGH BRAR, J. (Oral)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction, particularly in the nature of *certiorari* for quashing the order dated 11.11.2019 (Annexure P-19) passed by respondent No.3 whereby the claim of petitioner for interest has been rejected. Further praying for issuance of a writ in the nature of *mandamus* directing the respondents to pay the interest on delayed payment of Rs.6,89,320/- @ 18% per annum w.e.f. 31.07.2006 up to the date of payment i.e. 29.10.2009.

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2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner retired from the services of the respondents on 31.07.2006 upon attaining the age of superannuation. It is submitted that barely one and a half months prior to his retirement, a charge-sheet dated 10.05.2006 (Annexure P-5) came to be served upon him, followed by another charge-sheet dated 11.09.2006 (Annexure P-6). It is further contended that on account of the aforesaid disciplinary proceedings, the retiral dues of the petitioner were withheld and were ultimately released only in the year 2009. Learned counsel submits that such withholding of retiral benefits, for a prolonged period, is wholly arbitrary and unjustified. It is argued that there has been an inordinate and unexplained delay in the disbursement of retiral dues, which amounts to deprivation of the petitioner's legitimate right to timely payment. On this premise, it is contended that the petitioner is entitled to interest on the delayed payment in terms of the law laid down by the Full Bench in *A.S. Randhawa, Superintending Engineer (Retd.) vs. State of Punjab, 1998 (1) SCT 343*, wherein it has been held that delayed release of retiral benefits warrants grant of interest.

3. *Per contra*, learned counsel for the respondents-Nigam submits that the delay in release of retiral dues was neither intentional nor arbitrary, but occurred on account of the pendency of disciplinary proceedings initiated against the petitioner vide charge-sheet dated 10.05.2006. It is submitted that the said proceedings culminated on 25.08.2009, and immediately thereafter, the retiral dues of the petitioner were processed and

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released on 29.10.2009 without any further delay. Learned counsel argues that the respondents were justified in withholding the retiral benefits during the pendency of the disciplinary proceedings, in accordance with the applicable rules. It is, thus, contended that no fault can be attributed to the respondents, and consequently, the petitioner is not entitled to any interest. On these grounds, dismissal of the present writ petition has been prayed for.

4. I have heard learned counsel for the parties and have perused the record with their able assistance. It emerges from the record that the petitioner retired from the services of the respondents on 31.07.2006 upon attaining the age of superannuation. A charge-sheet dated 10.05.2006 was issued to him shortly prior to his retirement, followed by another charge-sheet dated 11.09.2006. The disciplinary proceedings arising therefrom remained pending and ultimately culminated only on 25.08.2009. During the pendency of the said proceedings, the retiral dues of the petitioner were withheld and came to be released thereafter on 29.10.2009.

4.1 Admittedly, the retiral benefits of the petitioner were not released for a considerable period on account of the pending disciplinary proceedings. It is a settled proposition of law that such proceedings are required to be concluded within a reasonable period and with due diligence. In this regard, reference may be made to the judgment of the Hon'ble Supreme Court in *Prem Nath Bali versus Registrar, High Court of Delhi and another (2015)*, wherein it has been emphasized that disciplinary



proceedings ought not to be prolonged unnecessarily and must be concluded with reasonable expedition.

5. A Two Judge Bench of the Hon'ble Supreme Court in ***Prem Nath Bali (supra)*** while speaking through Justice Abhay Manohar Sapre, made the following observations:-

“31) Time and again, this Court has emphasized that it is the duty of the employer to ensure that the departmental inquiry initiated against the delinquent employee is concluded within the shortest possible time by taking priority measures. In cases where the delinquent is placed under suspension during the pendency of such inquiry then it becomes all the more imperative for the employer to ensure that the inquiry is concluded in the shortest possible time to avoid any inconvenience, loss and prejudice to the rights of the delinquent employee.

32) As a matter of experience, we often notice that after completion of the inquiry, the issue involved therein does not come to an end because if the findings of the inquiry proceedings have gone against the delinquent employee, he invariably pursues the issue in Court to ventilate his grievance, which again consumes time for its final conclusion.

33) Keeping these factors in mind, we are of the considered opinion that every employer (whether State or private) must make sincere endeavor to conclude the departmental inquiry proceedings once initiated against the delinquent employee within a reasonable time by giving priority to such proceedings and as far as possible it should be concluded within six months as an outer limit. Where it is not possible for the employer to conclude due to certain unavoidable causes arising in the

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proceedings within the time frame then efforts should be made to conclude within reasonably extended period depending upon the cause and the nature of inquiry but not more than a year.”

(emphasis added)

6. Reliance can also be placed upon the judgment passed by this Court in **CWP-9606-2022**, titled as ***Khairati Lal Versus State of Haryana and others***, decided on 13.10.2025. The observations made therein be reads as under:-

“(i) The charge sheet must be issued within a reasonable period.

(ii) The inquiry must be concluded within six months of issuance of the charge sheet.

(iii) *The Punishing Authority shall decide the matter within three months of receipt of the inquiry report.*

(iv) *The Appellate Authority shall dispose of the appeal preferred against the decision of the Punishing Authority within three months of filing such an appeal.*

(v) *Thus, the entire process of disciplinary action must conclude within one year at the most. Any unexplained or inordinate delay beyond this period shall vitiate the proceedings and invite an adverse inference against the disciplinary authority*

(vi) *The Administrative Secretaries of the concerned departments, as well as heads of relevant Boards and Corporations, are also directed to conduct a quarterly review to ensure that the prescribed timeline is scrupulously followed and no disciplinary action is unjustly delayed.”*

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7. Every delinquent employee has a legitimate right to have disciplinary proceedings concluded expeditiously. Undue prolongation causes mental agony, financial hardship, and social stigma, even before the charges are proven. This is considered a punishment in itself. When delay is abnormal and remains unexplained by the department, prejudice to the delinquent is presumed. The employee may suffer from loss of evidence, non-availability of witnesses, fading memory, and inability to defend effectively. While serious charges may warrant continuation, prolonged delay without justification tilts the balance in favor of quashing the proceedings.

8. The employer must conduct proceedings diligently and without unnecessary delay. Protracted enquiries defeat the very purpose of disciplinary mechanism, instead of ensuring efficiency, integrity, and accountability they breed inefficiency, demoralization, and distrust in the system. A lack of seriousness in pursuing charges reflects poorly on the administration and may indicate malice or oblique motives, the employer cannot be permitted to keep the sword of disciplinary action dangling over an employee indefinitely.

9. Further, it is trite law that retiral benefits are not a matter of grace or bounty, but a statutory and vested right accruing to an employee upon superannuation. The issue is no longer *res integra*. The controversy stands squarely covered by the authoritative pronouncement of the Full

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Bench of this Court in *A.S. Randhawa*, wherein it has been unequivocally held that any delay in release of pensionary or retiral benefits beyond a reasonable period of two months from the date they become due would entail payment of interest to compensate the retiree for such delay.

10. In view of the aforesaid factual and legal position, and without embarking upon any further adjudication on the merits, the writ petition is disposed of with a direction to the respondents/competent authority to compute and release interest on the delayed payment of arrears payable to the petitioner @ 6% per annum. The interest shall be calculated after the expiry of a period of six months from the date of retirement of the petitioner, the same being a reasonable and rational duration ordinarily required for culmination of disciplinary proceedings, and shall run till the date of actual realization.

11. Let the aforesaid exercise be undertaken with due expedition and the consequential monetary benefits be released to the petitioner within a period of three months from the date of receipt of a certified copy of this order.

12. Pending miscellaneous application, if any, also stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

10.04.2026
Puneet Chawla

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