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

CWP-28833-2023

DECIDED ON: 12.05.2026

MANJIT KAUR**.....PETITIONER(S)**

VERSUS

FOOD CORPORATION OF INDIA AND OTHERSRESPONDENT(S)**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Mr. S.K. Sandhir, Advocate
for the petitioner(s)
Mr. Ravi Kamal Gupta, Advocate
for respondents/FCI

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226 and 227 of the Constitution of India praying for directing the respondents to release the family pension, arrears of pension admissible to late husband of the petitioner, gratuity, medical facility, leave encashment and other retiral benefits to the petitioner, along with interest @ 9% per annum, after the death of the husband of the petitioner Late Sh. Darshan Singh who was working as Manager i.e. AM (D) in the respondent Department and has expired on 01-02-2023, in the interest of justice.

The amount as prayed for in the instant petition qua family pension alongwith gratuity, leave encashment etc. has been granted in the account of the petitioner as is evident from a short affidavit filed by Dushyant, presently working as Divisional Manager at FCI Divisional Office, Ludhiana today in Court, on behalf of respondents, which could be culled from para 6 thereof in particular. The same is reproduced hereinbelow:-

“It is submitted that on the date of relieving of Late Sh. Darshan Singh from service i.e. 31.03.2004, and no departmental proceedings

were pending against him. However, a criminal case instituted by the CBI was pending against him as on date of relieving. The learned CBI Court, Patiala, delivered judgment dated 25.08.2006 with the penalty of RI for 3 years and fine of Rs.2000/-. Further, the appeal preferred by the Late officer against the judgment/order passed by the learned CBI Court remained pending before the Hon'ble High Court till his death.

It is also submitted that the Late officer filed a civil suit in March 2005, titled Darshan Singh Vs Food Corporation of India, before the learned District Court, Ludhiana, seeking release of terminal benefits. The deceased employee had claimed the following reliefs in the civil suit:-

To release of service dues including C.P.F., leave encashment, gratuity, and other admissible service benefits payable to the late officer.

Subsequently, the civil suit was decided in favour of FCI by the learned District Court, Ludhiana, vide Court Order dated 09.04.2013. Copy of the judgment and decree is appended as Annexure R-1. It is submitted that, as per the available record, no further appeal was filed by the officer till his demise.

In the meantime, the CPF full and final dues admissible to the ex-officer were duly released, details whereof are as under:(a) CPF Full & Final Payment: Rs. 5,48,928/- (Sanction dated 20.03.2007).

(b) CPF Interest: Rs. 57,246/- comprising: Rs. 11,232/- sanctioned vide order dated 20.03.2007; Rs. 38,994/- sanctioned vide order dated 26.05.2008; and Rs. 7,020/- sanctioned vide order dated 19.04.2011.

It is further submitted that the aforesaid judicial proceedings related to CBI case registered against the Late officer continued throughout his lifetime.

After his demise, the matter was re-examined by the Competent Authority and in compliance with directions issued by FCI, Zonal Office (North), Noida vide its Office Letter dated 28.08.2025, in light of Regulation 59(5) of the FCI (Staff) Regulations, 1971, the

disciplinary proceedings against the Late officer, if any, were considered closed Thereafter, the admissible terminal dues were processed and released strictly in accordance with the applicable rules and regulations. The details of payments released are as under:

- 1. Gratuity: Rs. 3,37,914/- paid on 22.11.2025;*
- 2. Leave Encashment (Interim) for 150 days: Rs. 86,135/- paid on 28.03.2026.*
- 3. Leave Encashment (Full & Final) for 150 days: Rs. 86,135/- paid on 08.05.2026.”*

In the light of above, though the learned counsel for the petitioner is satisfied but would urge for interest on the delayed payment of such retiral benefits.

Learned counsel for respondents/FCI would counter the above-said claim for interest stating that the petitioner is involved in FIR for which he was convicted by the trial Court vide judgment of conviction dated 25.08.2006 for a period of 3 years RI alongwith fine of Rs.2000/-, though an appeal against the said judgment has been preferred before this High Court and the same is pending.

The petitioner would be at liberty to seek interest after making a demand/representation to the respondents-authorities on the delayed payment, if any, which shall be considered and decided appropriately in accordance with law within a period of six weeks from its receipt by passing a speaking order.

The petition is disposed off with liberty aforesaid.

12.05.2026
Meenu

(SANDEEP MOUDGIL)
JUDGE

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