



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

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CWP-31284-2025

Date of Decision: 12.01.2026

ASHOK KUMAR

...Petitioner(s)

Versus**STATE OF HARYANA AND ANOTHER**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Rajvir Singh Sihag, Advocate and
Mr. Nikhil Sharma, Advocate
for the petitioner.

Ms. Tanushree Gupta, Senior Deputy Advocate General,
Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a writ of *mandamus* directing the respondents to make payment of pension and gratuity due to the petitioner on his retirement from service as Principal on 31.03.2025.

2. Learned counsel for the petitioner does not dispute that after filing of the petition the petitioner has been released all retiral benefits, including pension and gratuity, on 19.11.2025. He, however, submits that there is inordinate delay in releasing these benefits and no reason for the delay has been furnished. The petitioner had to suffer financial loss and mental agony due to non-payment of his rightful dues, forcing him to file the instant petition. This entitles him to interest on the delayed payment.

3. Learned State counsel has submitted that the petitioner had been issued a show cause notice on 12.09.2023, and the matter was sent to Vigilance Branch (Local) for further action. However, after considering his



response to the show cause notice and taking into account the facts and circumstances of the case, the Department was of the view that the notice was required to be 'filed' under Rule 8 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016. Therefore, after receiving the requisite documents for release of retiral benefits to the petitioner from the concerned College Principal on 08.02.2025, the Principal Accountant General(A&E), Haryana, was recommended to release full pensionary benefits to the petitioner vide office ODMS dated 23.10.2025. The Principal Accountant General, however, on its own released only the provisional pension after raising certain objections. The Department finally 'filed' the show cause notice vide memo dated 19.11.2025, Annexure R-5, and only thereafter full pensionary benefits were released to the petitioner. Learned counsel also contended that in terms of instructions issued by the Government, the pensionary benefits were required to be released to the petitioner within three months of his retirement, i.e., up to 30.06.2025.

4. Considering the submissions, this Court is of the view that the petitioner is entitled to payment of interest on the delayed release of retiral benefits. Apparently, he retired from service on 31.03.2025 and was released the due retiral benefits only on 19.11.2025, after he approached this Court by filing the instant petition. In view of the settled law, issuing of show cause notice for initiation of disciplinary proceedings is no ground to withhold retiral/pensionary benefits of an employee. Still the petitioner was deprived of his rightful dues for a period of over four months, i.e., from 01.07.2025 to 19.11.2025, which is inexplicable. He has been made to unnecessary suffer

financially as well as psychologically on that account, apart from having been forced into this unavoidable litigation.

5. In view thereof, the petition stands disposed of with a direction to the respondents to pay interest to the petitioner on the released amount of retiral benefits at the rate of seven per cent per annum from 01.07.2025 to 19.11.2025. These directions shall be carried out within four weeks of receiving a certified copy of the order.

(TRIBHUVAN DAHIYA)
JUDGE

12.01.2026
Ad

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>