

CWP-37848 of 2025

2026.PHHC:065851



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

CWP-37848 of 2025

Date of decision: 29.04.2026

Smt. Sarita

....Petitioner

versus

The State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

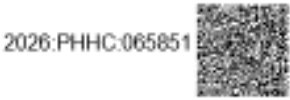
Present: Petitioner in person.

Mr. Kanav Singla, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Instant writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorari for quashing the speaking order dated 21.10.2025 (Annexure P-1), conveyed to the deceased husband of the petitioner, vide endorsement No.4678 dated 24.10.2025 and chargesheet dated 23.10.2025 (Annexure P-2), issued vide endorsement No.4671 dated 23.10.2025, qua deceased husband of the petitioner, who passed away on 05.11.2025. Further, a writ of mandamus has been sought for directing respondents No.1 and 2 to grant family pension, arrears of pension and other retiral benefits such as leave encashment, gratuity, GPF and GIS to the petitioner.

2. On the last date of hearing i.e. 17.04.2026, the following order was passed: -



“Learned State counsel, on instructions from Sh. Amandeep Singh, Senior Assistant ITI, Patiala, submits that the payment of death-cum-retirement gratuity and family pension has been sanctioned and the same has been sent to the concerned treasury by the Accountant General, Punjab, and the same shall be released to the petitioner within a period of one week.

Adjourned to 29.4.2026.”

3. The petitioner, who is present in Court, has produced copy of bank statement showing credit of following amount in the bank account of the petitioner: -

<i>Sr. No.</i>	<i>Credit date</i>	<i>Amount</i>	<i>Particulars of retiral benefits</i>
1.	22.04.2026	Rs.92,005/-	Arrears of pension
2.	22.04.2026	Rs.12,23,188/-	Death-cum-gratuity
3.	22.04.2026	Rs.20,732/-	Arrears of family pension
4.	22.04.2026	Rs.24,879/-	
5.	22.04.2026	Rs.24,879/-	
6.	22.04.2026	Rs.24,879/-	
7.	22.04.2026	Rs.24,879/-	

4. Petitioner submits that although all the retiral dues of her deceased husband, including the family pension, have been released, however, the same have been released after a considerable delay. Therefore, she is entitled for grant of interest on the said payments alongwith costs of litigation.

5. *Per contra*, learned State counsel submits that Sh. Mohan Lal (deceased husband of the petitioner) was issued chargesheet on

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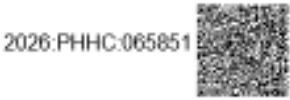
abovesaid due payments have been released to the petitioner and there is no intentional delay in releasing the same but is only for completion of procedure prescribed.

6. I have heard the petitioner and learned State counsel and perused the record.

7. Admittedly, husband of the petitioner retired from service on 30.04.2025 and on the said date, no chargesheet was pending against him and the chargesheet was issued on 23.10.2025 i.e. after a period of six months of his retirement and unfortunately he died on 05.11.2025 and since the retiral dues were not released to the petitioner, therefore, the instant petition was preferred by the petitioner (widow of deceased employee late Sh. Mohan Lal). Since on the date of retirement, no disciplinary proceedings were pending against the deceased husband of the petitioner and even the chargesheet was issued to him after six months of his retirement, which in any case has been dropped by the respondents on 27.02.2026, therefore, in view of Full Bench judgment of this Court in *A.S. Randhawa Vs. State of Punjab : 1997(3) S.C.T. 468* and the judgment in *J.S. Cheema Vs. State of Haryana and others : 2014(13) RCR (Civil) 355*, petitioner is held entitled for interest @ 7% per annum on the aforesaid retiral dues along with costs of Rs.30,000/-.

8. Consequently, the present petition is allowed. Respondents are directed to release the payment of interest @ 7% per annum on

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arrears of pension and gratuity w.e.f. 01.07.2025 and on the arrears of family pension w.e.f. 01.12.2025 till actual date of payment(s) alongwith costs of Rs.30,000/-. Let necessary benefits be released to the petitioner within a period of two months from today.

29.04.2026

R.S.

(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No