



CWP-24638-2022

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

280

CWP-24638-2022

Date of Decision: **August 20, 2025**

Nafees Bano

.....Petitioner

**VERSUS**

The Punjab State Power Corporation Limited and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present : Mr. Kuldeep Singh, Advocate for the petitioner.

None for the respondents.

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**HARPREET SINGH BRAR, J. (Oral)**

1. The present writ petition has been filed under Article 226/227 of the Constitution of India with a prayer for issuance of an appropriate writ, order or directions especially in the nature of mandamus directing the respondents to release the due amount of retiral benefits of the deceased husband of the petitioner namely Jiuna Khan amounting to Rs.2,64,858/- who retired as Upper Division Clerk along with interest on the delayed payment, as per Service Rules of the Punjab Government.

2. Learned counsel for the petitioner *inter alia* contends that the husband of the petitioner retired from the service on 31.03.2006 and died on 20.06.2008. The family pension along with other retiral dues like gratuity etc. were not released on time. Thereafter, the gratuity of husband of the petitioner was revised and an amount of Rs.66,148/- was ordered to be paid to the petitioner/pensioner on account of difference of revision of gratuity (Annexure P-1). However, the payment of Rs.66,148/- was made on 23.03.2018 without any interest thereon. Further, submits that the petitioner



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is entitled to the interest on the delayed amount towards retiral dues in terms of the judgment rendered by a Full Bench of this Court in *A.S. Randhawa Supg. Engineer (Retd.) vs. State of Punjab 1998 (1) SCT 343* wherein it was opined that disbursement of pension and other benefits payable at retirement must be done in a timely manner. Any delay over a period of two months, qua the said disbursement would entitle the retired employee to claim interest on the amount due. Speaking through Justice N.K. Sodhi, the following was held:

*“9. Since a Government employee on his retirement becomes immediately entitled to pension and other benefits in terms of the Pension Rules, a duty is simultaneously cast on the State to ensure the disbursement of pension and other benefits to the retirer in proper time. As to what is proper time will depend on the facts and circumstances of each case but normally it would not exceed two months from the date of retirement which time limit has been laid down by the Apex Court in *M. Padmanabhan Nair's case (supra)*. If the State commits any default in the performance of its duty thereby denying to the retiree the benefit of the immediate use of his money, there is no gainsaying the fact that he gets a right to be compensated and, in our opinion, the only way to compensate him is to pay him interest for the period of delay on the amount as was due to him on the date of his retirement. Again, as to what should be the rate of interest, it should, in our view, be generally 12% unless the circumstances of a particular case warrant the payment of a higher rate which may extend to even 18%.”(emphasis added)*

Reliance in this regard may also be placed on the judgments rendered by the Hon'ble Supreme Court in *S.K. Dua vs. State of Haryana (2008) 3 SCC 44* and *State of Kerala vs. M. Padmanabhan Nair (1985) 1 SCC 429*.

3. I have heard the submission made by learned counsel for the petitioner and gone through the reply filed on behalf of PSPCL.

4. In the view of the above decision rendered by Full Bench of this Court in *A.S. Randhawa*, the present petition is disposed of with a direction to the respondent(s)/competent authority to pay the interest on



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delayed amount towards retiral benefits to the petitioner from the date of entitlement at the rate of 7.5% p.a in terms of the judgments *A.S. Randhawa and S.K. Dua (supra)* within a period of three months from the date of receiving the certified copy of this order.

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

**(HARPREET SINGH BRAR)**  
**JUDGE**

**August 20, 2025**

*P.C*

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No