



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

107+294

CWP-24481-2024(O&M)
Date of Decision: **August 12, 2025**

Kewal Lal

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Geeteshwar Saini, Advocate for Mr. R.K. Arya, Advocate
for the petitioner.

Ms. Arundhati Kulshreshtha, AAG, Punjab-State.

Mr. Nikhil Anand, Advocate for respondents No.4 and 5.

HARPREET SINGH BRAR, J. (Oral)

CM-11326-CWP-2025

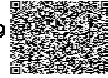
Present application has been filed by respondents No.4 and 5 under Section 151 of Code of Civil Procedure for permission to place on record the short reply on behalf of respondents No.4 and 5.

Heard.

Keeping in view the facts mentioned in the application, the same is allowed as prayed for, subject to all just exceptions. Short reply is taken on record. Registry to do the needful.

CWP-24481-2024

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 certiorari for quashing the impugned order dated 24.03.2022(Annexure P-4) passed by respondent No.5



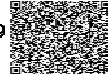
in violation of mandate of law prescribed under Section 6.16-A(3) of Punjab Civil Services Rules and further for issuance of a direction in the nature of mandamus directing the respondents to release the retiral benefits from the date the petitioner retired i.e. 11.07.2011.

2. Learned counsel for respondents No.4 and 5 at the outset submits that the grievance raised by the petitioner has been substantially redressed and amount of all retiral dues have been paid to the petitioner.

3. Learned counsel for the petitioner however, submits that petitioner is also entitled to the interest in terms of the judgment rendered by a Full Bench of this Court in *A.J. 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 retiree 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*.

4. Learned counsel representing the respondents assures the Court that in case the petitioner moves a representation seeking payment of interest on his retiral benefits, the same will be decided in accordance with law within a period of six weeks.

5. In view of the above, the present petition is disposed of. However, the petitioner will be at liberty to move a representation before the respondents seeking payment of interest on delayed disbursement of his retiral benefits. In the event of the petitioner moving such a representation, the respondent shall decide the same within a period of six months from the date of receiving a certified copy of this order by passing a speaking order, after affording him an opportunity to be heard. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by the respondents at the rate of 7.5% p.a. commencing from the date of his retirement.

(HARPREET SINGH BRAR)
JUDGE

August 12, 2025

P.C

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No