



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

204

CWP-15372-2000

Decided On: 14.07.2025

NIRMAL KOHLI AND OTHERS

....PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

....RESPONDENT(s)

**CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

Present: Mr. Anand Bhardwaj, Advocate for the petitioners.

Mr. Harish Rathee, Senior Deputy Advocate General, Haryana.

Mr. H. S. Oberoi, Advocate for respondent no.3.

**TRIBHUVAN DAHIYA J.(Oral)**

The petition has been filed seeking a writ of *mandamus* directing the respondents to award interest to the petitioners on delayed payment of Death-cum-Retirement Gratuity.

2. Learned counsel for the petitioners has referred to averments in paragraph 4 of the petition, and submits that all the five petitioners were released gratuity after delay of about two to three years from the date of retirement. The paragraph reads under:

4. The petitioners retired from services on superannuation on their respective dates of completion of 58 years. A copy of the Certificate and Report issued by the Accountant General Haryana issued qua petitioner no.1 is enclosed herewith as Annexure P-1. Similar certificates were issued qua other petitioners also. Their Gratuity was released after a period of 2/3 years. The dates of



retirement and the dates on which the petitioners were granted the amount of gratuity are mentioned below.

S.No.	Name	Date of retirement	Date of release of D.C.R.G. amount
1.	Nirmal Kohli	31.10.1996	20.06.2000
2.	Uma Kumari	30.04.1997	21.12.1999
3.	Kailash Khanna	30.04.1997	14.12.1999
4.	Roop Chand	30.04.1998	20.06.2000
5.	Madan Lal	30.11.1996	02.12.1999

The amount of Gratuity and the period for which the State retained and utilised their amount are mentioned as follows:

S.No.	Name	Amount of Gratuity (Rs.)	Period for which amount was retained		
			Year	Month	Days
1.	Nirmal Kohli	1,27,413	3	7	20
2.	Uma Kumari	1,35,432	2	7	21
3.	Kailash Khanna	1,35,432	2	7	14
4.	Roop Chand	1,26,573	2	1	20
5.	Madan Lal	1,27,413	3	0	2

He also submits that as per instructions issued by the Government, the respondents are bound to release the due retiral benefits, including gratuity, within three months of retirement.

3. It is not disputed that the amount of gratuity is payable by respondents no.1 and 2. However, no reply on their behalf has been filed. On 01.03.2025 as well as 18.03.2025, learned State counsel was granted time to get instructions as to why the respondents should not be directed to pay interest on account of the unexplained delay in releasing DCRG to the



petitioners. Mr. Rathee has not been able to controvert the aforementioned facts by way of any documentary evidence. He has not also been able to dispute the date of release of gratuity amount to the petitioners, nor has he provided any explanation for the delay in releasing the amount.

4. In view of the undisputed facts on record, it is apparent that due amount of retirement gratuity was released to the petitioners after an inordinate delay, causing them financial loss for which they are entitled to be compensated by awarding interest for the period of delay.

5. The petition is, accordingly, allowed directing respondents no.1 and 2 to pay interest at the rate of nine per cent per annum on the delayed amount of gratuity to each of the petitioners from three months after the date of retirement till actual payment, within four weeks of receiving a certified copy of the order.

**14.07.2025**

*Ad*

*Whether speaking/reasoned?*

*Whether reportable?*

**(TRIBHUVAN DAHIYA)**

**JUDGE**

*Yes/No*

*Yes/No*