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

CWP-23290-2025

Date of decision: 21.08.2025

Bhushan Kumar Aggarwal

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Arihant Goyal, Advocate
for the petitioner.

Mr. T.P.S. Walia, AAG, Punjab.

Mr. Balram Singh, Advocate
for respondent No.4.**HARPREET SINGH BRAR, J. (ORAL)**

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondent/authorities to release the withheld amount of gratuity, leave encashment and to release the full pension and also to conclude the disciplinary proceedings against the petitioner on the basis of charge sheet dated 10.08.2017 expeditiously.

Learned counsel for the petitioner submits that the primary grievance raised by the petitioner is that the petitioner was served a charge sheet on 10.08.2017 and after conclusion of the inquiry and disciplinary proceedings, the retiral dues of the petitioner has not been released till date. Thereafter, another charge sheet was issued on 17.10.2018 pertaining to the charges in which the punishment of deduction of 10% for two years from the pension of the petitioner has been awarded on 04.01.2022 (Annexure P-3).

On the other hand, learned counsel for the respondents-State



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submits that in the earlier charge sheet issued on 10.08.2017, the petitioner has been cautioned.

Mr. Balram Singh, Advocate appears on behalf of respondent No.4 and filed his power of attorney in the Court today which is taken on record and submits that respondent No.4 is not a necessary party and the petitioner had only worked for two months with respondent No.4 and thereafter, he had retired.

After hearing learned counsel for the parties and on perusal of the record, it transpires that both the charge sheets have attained finality. The punishment of warning issued pursuant to the charge sheet dated 10.08.2017 cannot create any embargo for withholding the retiral benefits of the petitioner.

In view of the facts and circumstances of the case, the present petition is disposed of and the respondents are directed to release the retiral dues to the petitioner along with an interest @ 7.5% per annum on account of delay in releasing the retiral dues in view 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 from the date of entitlement of the retiree till the date of actual payment, within a period of three months from the date of receipt of certified copy of this order.

(HARPREET SINGH BRAR)
JUDGE

21.08.2025

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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No