



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

**LPA No.1116 of 2024 (O&M)
Date of Decision: 25.03.2025**

Siri Krishan (Retd.)

...Appellant

Versus

Haryana State Small Industries and
Export Corporation Limited & anr.

...Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present:- Mr. Naveen Daryal, Advocate
for the appellant.

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SANJEEV PRAKASH SHARMA J.(Oral)

CM No.2692-LPA No.2024

For the reasons stated in this application, the same is allowed and the delay of 58 days in re-filing the accompanying appeal is hereby condoned.

Main case

The appellant has preferred this appeal assailing the order dated 02.12.2023 passed by the learned Single Judge to the extent that the interest has not been granted by the learned Single Judge.

2. Learned counsel for the appellant submits that the appellant is in no manner concerned with the amount recoverable against M/s Goyal Enterprises and the State ought not have withheld the amount of his gratuity. While the learned Single Judge has accepted his plea and has directed to



release the amount deducted within a period of two months from the date of receipt of the certified copy, the interest has not been granted on the amount withheld by the respondent, hence this appeal.

3. We have considered the submissions and notice that the order passed by the learned Single Judge has reached to the conclusion ultimately a judgment and decree was passed against M/s Goyal Enterprises for recovery and therefore, amount was not recoverable from the appellant. The appellant's role was to be separately addressed with regard to his actions which resulted in the State having to go for recovery proceedings from M/s Goyal Enterprises. The withholding of the amount of gratuity, therefore, was on account of valid reasons and not arbitrary. The interest would not be, therefore, required to be paid on the said amount. The directions passed by the learned Single Judge, therefore, do not warrant any interference.

4. With the afore-said observations, the present LPA is dismissed accordingly.

5. All the pending misc. Application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

March 25, 2025
seema

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*