



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

236

CWP-8933-2021

Date of Decision: **August 18, 2025**

Kamal Kishore

.....Petitioner

VERSUS

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. R.S. Manhas, Advocate for the petitioner.

Ms. Arundhati Kulshreshtha, AAG, Punjab.

Ms. Kavita Arora, Advocate for respondents No.3 and 5.

Ms. Gurneet Sagoo, Advocate for respondent No.4.

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 retiral benefits along with interest @ 18% per annum from the date of retirement.

2. Learned counsel for respondent No.4 at the very outset submits that the retiral benefits of the petitioner have already been released and the only dispute which survives in the present petition is with regard to the interest on the delayed payment. Further, learned counsel submits that the petitioner would be paid interest @ 6% per annum on account of delay in releasing the retiral benefits.

3. Learned counsel for the petitioner submits that he is satisfied with the submission made by learned counsel representing the respondent



No.4 before this Court and further submits that petitioner is 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 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*.

4. In view of the statement made by learned counsel for respondent No.4, the present petition is disposed of with a direction to the respondent(s)/competent authority to pay the interest on delayed amount towards retiral benefits from the date of his retirement till the date of release



of his retiral benefits at the rate of 6% p.a within a period of four 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 18, 2025

P.C

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No