



2026:PHHC:075475



156

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

**CWP-3966-2020 (O&M)  
DECIDED ON: 13.05.2026**

**KARANBIR SINGH AND ORS**

**.....PETITIONER(S)**

**VERSUS**

**STATE OF HARYANA AND ORS.**

**...RESPONDENT(S)**

**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

Present: Ms. Anshul Agnihotri, Advocate and  
Mr. Anuj Y. Attri, Advocate for the petitioner(s)

Ms. Mayuri Lakhanpal Kalia, DAG, Haryana.

\*\*\*

**SANDEEP MOUDGIL, J (ORAL)**

The petitioners have approached this Court by way of the present writ petition under Articles 226/227 of the Constitution of India seeking directions to the respondents to release and pay the entire salary due to the petitioners for the period from September 2017 to October 2020.

After notice of motion was issued on 16 September 2022, a written statement along with affidavits on behalf of respondents No. 2 and 4 was filed. A comprehensive reply was also filed by Kartik Chauhan, Block Development and Panchayat Officer, Sadhaura, District Yamunanagar, on behalf of respondents No. 1 to 3 and 5 to 9.



The case has remained pending since 2020, wherein the petitioners have been deprived of legitimate dues in the form of salary for the period from September 2017 to October 2020.

Today, learned State counsel has produced a copy of order dated 12 May 2026 bearing Memo No. 19887 issued by the Director, Development and Panchayats Department, Haryana, stating that the pending remuneration of VLEs, including that of the petitioners, has been calculated on the basis of records provided by DITS Yamunanagar, CEO Office Yamunanagar, and CSC SPV for the period from September 2017 to October 2020, and the same has now been released and credited to the account of the petitioners. The said letter is taken on record and a copy thereof has been supplied to learned counsel for the petitioners.

Right to Livelihood is an integral part of the Right to Life guaranteed under Article 21 of the Constitution of India. Time and again, the Courts in India have held that it is an integral part of the right to life. The right to livelihood cannot be subjected to the fancies of the persons in authority. The sweep of right to life conferred by Article 21 is wide and far-reaching.

In '*Olga Tellis v. Bombay Municipal Corporation*', M.C. AIR 1986 the Hon'ble Supreme Court held that :

*"If there is an obligation upon the State to secure to the citizens an adequate means of livelihood and the right to work, it would be sheer pedantry to exclude the right to livelihood from the content of the right to life. The State may not, by affirmative action, be compellable to provide adequate means of livelihood or work to the citizens. But, any person, who is deprived of his right to livelihood except according to just and fair procedure established by law, can challenge the deprivation as offending the right to life conferred by [Article 21](#)."*



Salary day, for many in the working population, is not just about money hitting the bank account. It is about knowing that the hours put in, the targets chased and the pressure handled will be respected. Yet, cases of delayed salaries and unpaid incentives have become more frequent.

Full Bench of this Court in *A.J. Randhawa Supdg Engineer vs. State of Punjab and others, (1997) 117 PLR 6* dealing with a question of entitlement to interest on delayed payment of retiral benefits held as under:

*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 front 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%.*

This principle squarely applies to the present case of the petitionerS, who are clearly entitled to interest on the delayed benefits. Similarly, in “*S.K. Dua v. State of Haryana, (2008) 3 SCC 44*”, it was held by the Apex court that even in the absence of statutory rules, an employee is entitled to claim interest on delayed payment under Articles 14 and 21 of the Constitution, while observing that,

*“The fact remains that proceedings were finally dropped and all retiral benefits were extended to the appellant. But it also cannot be denied that those benefits were given to the appellant after four years. In the*



*circumstances, prima facie, we are of the view that the grievance voiced by the appellant appears to be well-founded that he would be entitled to interest on such benefits. If there are Statutory Rules occupying the field, the appellant could claim payment of interest relying on such Rules. If there are Administrative Instructions, Guidelines or Norms prescribed for the purpose, the appellant may claim benefit of interest on that basis. But even in absence Statutory Rules, Administrative Instructions or Guidelines, an employee can claim interest under Part III of the Constitution relying on Articles [14](#), [19](#) and [21](#) of the Constitution. The submission of the learned counsel for the appellant, that retiral benefits are not in the nature of 'bounty' is, in our opinion, well-founded and needs no authority in support thereof. In that view of the matter, in our considered opinion, the High Court was not right in dismissing the petition in limine even without issuing notice to the respondents.”*

Furthermore, in “***D.D. Tewari (D) through LRs v. Uttar Haryana Bijli Vitran Nigam Ltd., (2014) 8 SCC 894***”, the Supreme Court reiterated that denial of timely payment of lawful dues warrants award of interest as compensation, while categorically holding that,

*“4. It is an undisputed fact that the appellant retired from service on attaining the age of superannuation on 31.10.2006 and the order of the learned single Judge after adverting to the relevant facts and the legal position has given a direction to the employer-respondent to pay the erroneously withheld pensionary benefits and the gratuity amount to the legal representatives of the deceased employee without awarding interest for which the appellant is legally entitled, therefore, this Court has to exercise its appellate jurisdiction as there is a miscarriage of justice in denying the interest to be paid or payable by the employer from the date of the entitlement of the deceased employee till the date of payment as per the aforesaid legal principle laid down by this Court in the judgment referred to supra. We have to award interest at the rate of 9% per annum both on the amount of pension due and the gratuity amount which are to be paid by the respondent.”*



The petitioners have remained deprived of their legitimate dues in the form of salary for good number of years. Considering the above circumstances and the spectrum of law discussed, this Court finds that there has admittedly been delay on the part of the respondents, and no explanation has been furnished as to why the legal right of the petitioner i.e. salary for the aforesaid period was withheld for such a long time.

I have no hesitation to hold that the action of the respondents in not paying gross salaries to the petitioners for the period from September, 2017 to October, 2020 is nothing but pay docking, which is illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India.

Accordingly, respondent No. 2 is directed to grant interest at the rate of 6% per annum on the delayed payment. The interest shall be calculated from the date the amount became due till the date of its realization. The necessary calculation and payment of interest shall be made and credited to the account of the petitioners within a period of one month from today positively, failing which the respondents shall be liable for contempt proceedings.

The petition stands disposed of in the above terms.

Pending miscellaneous applications, if any, also stand disposed of.

(SANDEEP MOUDGIL)  
JUDGE

13.05.2026  
*anuradha*

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