



2026:PHHC:060990

CWP-12182-2026

-1-

2026:PHHC:060990



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

Serial No.132

CWP-12182-2026

Decided on: 22.04.2026

Vineet Kumar and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

PRESENT: Mr. Rajesh K. Kataria, Advocate,
Ms. Prabhjot Kaur, Advocate and
Ms. Parul Chaudhary, Advocate
for the petitioners.

Mr. Suneel Ranga, Deputy Advocate General, Haryana.

Mr. Nilesh Bhardwaj, Advocate
for respondents no.3 to 5/University.

TRIBHUVAN DAHIYA, J.(ORAL)

The petition has been filed *inter alia* seeking a writ of *mandamus* directing the respondents to pay interest at the rate of twelve per cent per annum on the delayed payment of salary arrears to the petitioners from 01.01.2016 till the date of actual payment, i.e., 24.02.2026.

2. Learned counsel contended that the petitioners earlier approached this Court by filing different petitions, which were decided vide a common order dated 30.01.2024 passed in CWP-20891-2018 titled *Surjabir Rathee and others v. State of Haryana and others*. The claim raised was concerning pay, and the petitions were allowed in the following terms:

23. That being the question of fact, keeping in view the settled principle of law settled by the Full Bench of this Court in *Rajbir Singh's case (supra)* [*Rajbir Singh and others v. Haryana State*



Electricity Board and others, 2009 (3) SCT 543] granting the notional benefit from 01.01.2016 till 17.04.2018 is not only factually incorrect but also contrary to the settled principle of law settled by the Full Bench of this Court in *Rajbir Singh's case (supra)*, hence, the respondents are directed that the petitioners should also be granted the actual benefit of arrears of salary in revised pay scale, as granted vide notification dated 17.04.2018 (Annexure P-6) w.e.f. 01.01.2016 onwards with consequential benefits. Let the said order be complied with within a period of three months from the receipt of copy of this order.

The directions issued by the Court for granting the arrears of salary in the revised pay scale were not complied with by the respondents within the stipulated period of three months, leading to filing of contempt petition, COCP-109-2026, by the petitioners. The petition was finally disposed of on 26.02.2026, on a statement made by the respondents that due benefits in terms of the judgment have been released. Learned counsel further contended that the arrears of salary in terms of the orders were actually released on 24.02.2026, after more than two years from the date of judgment. Due to this delay for no reason the petitioners have been unlawfully deprived of their own money, which entitles them to payment of interest in terms of the law laid down by this Court in *J. S. Cheema v. State of Haryana and others*, 2014 (1) SCT 782.

3. Considering the facts aforementioned as well as the submissions made by learned counsel for the petitioners, this Court is not inclined to entertain the petition on the ground that while deciding the case vide judgment dated 30.01.2024, the petitioners were not held entitled to payment of interest on arrears of salary by this Court. Also, no such claim was raised by them before the Court at the time of deciding of the contempt petition, which was disposed of vide order dated 26.02.2026 after payment of due benefits in terms of the judgment. Even otherwise, a writ petition only to claim interest on arrears of salary is not



CWP-12182-2026

-3-

2026:PHHC:060990



maintainable. The judgment in *J. S. Cheema* case (*supra*) has no application to the facts of this case as the issue decided is, entitlement to interest for delay in releasing the retiral benefits, which cannot form a basis for maintaining a petition exclusively to claim interest on arrears of salary or other payments due from the State. It would be stretching the principle of law too far to be acceptable. In terms of law settled by the Full Bench in *A. S. Randhawa v. State of Punjab*, (1997) 3 SCT 468, a writ petition is maintainable for claiming interest *only on delayed payment of pension and other retiral benefits*. The Court held as under:

9. The question that now arises for our consideration is whether a retiree can approach this Court under Article 226 of the Constitution to claim interest only on the delayed payment of pension and other retiral benefits. As observed earlier, there is a duty cast on the State to disburse pension and retiral benefits immediately when they become due and it is the non- performance of this statutory duty which gives rise to the retiree to claim compensation by way of interest. This right to claim interest partakes the nature and character of the retiral benefits and is indeed a concomitant of the right to claim pension and retiral benefits and cannot be separated therefrom. This being so, a claim for interest by a pensioner cannot be equated with a claim for money simpliciter or any interest thereon arising out of contractual obligations. ...

4. Dismissed.

22.04.2026

Mehak

(TRIBHUVAN DAHIYA)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/~~No~~
~~Yes~~/No