

(2025) 12 P&H CK 0021

Punjab And Haryana HC

Case No: Civil Writ Petition No. 21976 Of 2025

Randhir Singh

APPELLANT

Vs

State Of Punjab And Others

RESPONDENT

Date of Decision: Dec. 4, 2025

Acts Referred:

- Constitution Of India, 1950-Article 226, 227

Hon'ble Judges: Namit Kumar, J

Bench: Single Bench

Advocate: Satnampreet Singh Chauhan

Final Decision: Disposed Of

Judgement

Namit Kuumar, J

1. The case has been called twice, however, no one has put in appearance on behalf of the petitioner.

2. The instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking a writ of mandamus directing the respondents to grant interest on the delayed payment of pensionary benefits and earned leave @ 12%, in view of judgment passed by the Hon'ble Full Bench of this Court in CWP No.2883 of 1997, titled as A.S. Randhaawa Versus State of Punjab and others, decided on 16.05.1997.

3. The petitioner had earlier filed CWP No.3296 of 2023, titled as Randhir Singh Versus State of Punjab and others seeking a writ of mandamus for directing the respondents to grant him pensionary benefits after counting his daily wage service along with 12% interest. During the pendency of said petition, all the retirement benefits, such as, pension, gratuity, GPF, leave encashment and arrears of pay fixation had already been paid to the petitioner and with regard to interest, the petitioner was relegated to avail his alternative remedy, vide order dated 20.03.2023, which reads as under:-

“The petitioner prays for the issuance of a writ in the nature of mandamus to direct the respondents to grant him pensionary benefits and count his service on a daily wage basis for the pensionary benefits. He also prays for grant of interest at the rate of 12% from the due date of retirement as the payment has been made after the delay of 9 months.

The learned counsel representing the petitioner admits that entire payment including pension, gratuity, G.P.F. payment, leave encashment and pay-fixation (arrears) has already been paid to the petitioner before filing of the writ petition.

As regards the petitioner's claim for interest, though, this Court as per the judgment passed in CWP-2883-1997, titled as "A.S. Randhawa Vs. State of Punjab and others", decided on 16.05.1997, has the jurisdiction, however, in the facts of the case, the petitioner, if so advised, may avail alternative remedy.

With these observations, the present petition is disposed of.

All the pending miscellaneous applications, if any, are also disposed of.”

3.1 Thereafter, he filed contempt petition being COCP No.1343 of 2025, which was disposed of vide order dated 24.04.2025 with the following observations:-

“Learned counsel for the petitioner wishes to withdraw the present petition with liberty to avail his alternative remedies in accordance with law.

Dismissed as withdrawn with aforesaid liberty.”

3.2 In para 11 of the writ petition, the petitioner has submitted that after passing of the order by this Court in the contempt petition, the petitioner served a legal notice dated 02.05.2025 (Annexure P-3) and no decision on the same has been taken by the respondents.

4. Learned State counsel submits that in view of said orders, the instant petition is not maintainable as instead of availing alternative remedies, the petitioner has again filed the present writ petition.

5. Once the petitioner has already been relegated for availing alternative remedy vide order dated 20.03.2023, the instant writ petition is not maintainable and the same is accordingly dismissed.