

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 24800 of 2015
Date of decision: 30.11.2015

Kulwant Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Harnek Singh, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The present writ petition has been filed seeking directions for payment of interest on the delayed payment of all retiral benefits @ 12% per annum in view of the judgment of the Full Bench in *A.S. Randhawa vs. State of Punjab and others, 1997 (4) SLR 617*.

It is the pleaded case of the petitioner that he retired as Inspector on 31.03.2011 but the retiral benefits were paid to him after 8 months and 20 days regarding the amounts against gratuity and leave encashment. The GIS amount was paid after 11 months and 20 days. The petitioner filed an application for payment of interest on the delayed payment but the department has not taken any action on the representation dated 15.02.2012 (Annexure P-1). Thereafter, legal notice dated 10.09.2015 (Annexure P-2) was served and the amount of interest was quantified to the tune of ₹59,466/-.

Counsel for the petitioner submits that he would be satisfied if

a time bound direction is issued to the respondents to decide the demand raised in the legal notice.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of the respondents. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought and without commenting on the merits of the case, this Court does not feel it necessary for the State to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 3 to decide the claim raised in the legal notice dated 10.09.2015 (Annexure P-2) within a period of two months from the date of receipt of certified copy of the order. In case there has been delay as pleaded, the petitioner shall be paid the interest amount for delaying the disbursement of retiral benefits @ 9% per annum from the date it actually became due to the date of payment within a period of one month thereafter. In case the benefit of interest is to be denied, the said respondents shall pass a speaking order and convey it to the petitioner.

30.11.2015
shivani

(G.S. SANDHAWALIA)
JUDGE