

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.1550 of 2016**  
**Decided on : 01.02.2016**

Raj Kumar

... Petitioner

Versus

State of Punjab & others

... Respondents

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

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

**G.S. Sandhawalia , J. (Oral)**

The petitioner seeks the release of pensionary benefits, such as gratuity, leave encashment etc. along with interest on the delayed period.

It is the pleaded case of the petitioner that he retired as Ayurvedic Medical Officer from the respondents No.4 & 5- Municipal Corporation, Pathankot on 31.10.2015 and there is nothing adverse against him. A No Dues Certificate was also issued on 17.08.2015 (Annexure P2), prior to his giving up of office. He made request on 24.11.2015 (Annexure P3) to respondent No.4 that he be paid his retiral dues along with interest but no action has been taken on it. Thereafter, a reminder was also issued on 23.12.2015 (Annexure P4).

Counsel for the petitioner submits that the petitioner would be satisfied if a time-bound direction is given for the redressal of his grievances.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of the respondents No.1 to 3. Copy of the paperbook has been

supplied to him.

Keeping in view the limited relief sought and the fact that the petitioner is entitled, as per law, regarding the retiral dues along with interest, if there is inordinate delay, in view of the Full Bench judgment of this Court in **A.S.Randhawa Vs. State of Punjab & others 1997 (3) SCT 468**, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, without commenting upon the merits of the case, the present writ petition is disposed of, with a direction to respondents No.4 & 5 to ensure that the retiral dues of the petitioner are paid, within a period of 2 months from the receipt of a certified copy of this order. Apart from releasing the retiral dues, the said respondents shall also take a call on the issue of interest which the petitioner will be, now, entitled to, on account of the judgment of the Full Bench in the case of **A.S.Randhawa** (supra), which provides that interest is to be paid for the retiral dues, which are not disbursed within 2 months from the date of retirement. In case there is no legal impediment, the retiral dues along with interest be disbursed, one month thereafter. In case the amount is to be denied on account of some enquiry or proceedings pending against the petitioner, a speaking order be passed and the same be conveyed to the petitioner.

**FEBRUARY 01, 2016**  
sailesh

**(G.S. SANDHAWALIA)**  
**JUDGE**