

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Writ Petition No.2804 of 2016

Date of decision: 11.2.2016

Arjun Lal

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Karan Chaudhary, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks release of retiral benefits along with interest on account of delayed payment.

It is pleaded case of the petitioner that he had joined as Clerk in the year 1979 and superannuated on 31.8.2015 as Junior Assistant from the office of respondent no.3-Executive Officer, Municipal Council, Gurdaspur. However, his retirement dues have not been released in spite of representations dated 3.9.2015 (Annexures P/1 to P/3) wherein he asked for release of pension, leave encashment and provident fund etc.

Counsel for the petitioner submits that he would be satisfied if a direction is issued to respondents to decide the representations dated 3.9.2015 (Annexures P/1 to 3) within some fixed time frame.

Notice of motion.

Mr. R.S.Sidhu, Assistant Advocate General, Punjab accepts notice on behalf of respondents no.1 and 2. Copies of the writ petition have been supplied to him.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the State.

Accordingly, the present writ petition is disposed of with a direction to respondent no.2 to ensure that respondent no.3 shall take into consideration the said representations dated 3.9.2015 (Annexures P/1 to 3) and ensure disbursal of retiral dues within a period of two months from the date of receipt of a certified copy of this order. The said respondent shall also taken into consideration the right of the petitioner with regard to grant of interest on delayed payment in of view the Full Bench decision in **A.S. Randhawa Vs. State of Punjab 1998(1) S.C.T. 343** and pass a speaking order regarding this aspect. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

February 11, 2016
Pka

(G.S.SANDHAWALIA)
Judge