

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

**CWP No.3321 of 2016
Decided on : 24.02.2016**

Kedar Nath

... Petitioner

Versus

State of Punjab & 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 the benefit of payment of retiral dues along with interest for the delayed period.

It is the pleaded case of the petitioner that he was working with the respondent No.3-Municipal Council, Gurdaspur and superannuated on 31.12.2015, as Sewadar. Representation had been made for payment of his retiral dues, but only Rs.3,32,000/- as leave encashment, has been paid but the other retiral benefits have not been paid.

Counsel for the petitioner submits that legal notice dated 21.01.2016 and 02.02.2016 (Annexures P1 & P2, respectively) have been sent to respondent No.3, followed by a reminder dated 08.02.2016 (Annexure P3) but of no avail and he would be satisfied if a time-bound direction is given for the redressal of his grievances.

Notice of motion.

Mr.Avinit Avasthi, AAG, Punjab accepts notice on behalf of respondents No.1 & 2. 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 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, the present writ petition is disposed of, with a direction to respondent No.2, to ensure that the retiral dues of the petitioner are paid by respondent No.3, within a period of 2 months from the date of receipt of a certified copy of this order. The said respondent shall also take into consideration the issue of delay in the release of the retiral benefits and its liability to pay interest, as per the judgment of the Full Bench in the case of **A.S.Randhawa** (supra). 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, a speaking order be passed and the same be conveyed to the petitioner.

FEBRUARY 24, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE