

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

CWP No. 3902 of 2016
Date of decision: 27.02.2016

Khem Raj

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Yogesh Aneja, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks release of the remaining service benefits such as ex-gratia grant, gratuity, leave encashment, provident fund, insurance scheme benefits, ADA/DA/Bonus, interim relief, house rent, balance of revised pay scale of 01.01.2006, LIC, balance of gazetted holidays 5 days week, pension and all other benefits alongwith interest @ 18% per annum.

It is the pleaded case of the petitioner that he has retired on 30.11.2015 from respondent no. 4-Municipal Council, Fazilka as a Fireman. An amount of ₹2,00,000/- has been released and remaining service benefits have not been released. Representation dated 30.12.2015 (Annexure P-2) has been moved to the said respondent but no decision has been taken 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 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 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 and 3 to ensure that the retiral dues of the petitioner are paid by respondent no. 4, 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.

27.02.2016
shivani

(G.S. SANDHAWALIA)
JUDGE