

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP No.4870 of 2016
Decided on : 15.03.2016

Pritam Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

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

Present : Mr.Vipin Mahajan, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

Petitioner seeks the release of pensionary benefits, in terms of regular monthly pension, gratuity, leave encashment, balance amount of Rs.26,000/- towards GPF along with interest @ 12% per annum.

It is the case of the petitioner that he retired as Food & Supplies Inspector on 30.04.2015 and was released provisional pension on 16.07.2015 (Annexure P1) and a sum of Rs.14,50,000/- was paid towards GPF but Rs.26,000/- is still pending. Thereafter, a show cause notice was issued to him under Rule 10 of the Punjab Civil Services Punishment & Appeal Rules, 1970, to which, he submitted reply and the same had been dropped by the Department on 10.11.2015 (Annexure P3). It is submitted that the petitioner made representations dated 29.12.2015 (Annexure P4/T) and 28.01.2016 (Annexure P5/T) for the release of his retiral dues but the same have not been acted upon.

Counsel for the petitioner submits that the petitioner would be satisfied if a decision is taken on the said representations within a fixed time frame.

Notice of motion.

Mr.Anshul Gupta, AAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought, 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 respondent No.2, to consider and decide the representations dated 29.12.2015 (Annexure P4/T) and 28.01.2016 (Annexure P5/T), within a period of 2 months from the date of receipt of a certified copy of this order and ensure that the retiral dues are paid. The said respondent shall also take into consideration the issue of delay in the release of the retiral benefits and the liability to pay interest, as per the judgment of the Full Bench in the case of **A.S.Randhawa Vs. State of Punjab & others 1997 (3) SCT 468.**

In case there is no legal impediment, the retiral dues along with interest be disbursed, thereafter. In case the amounts are to be denied, a speaking order be passed and the same be conveyed to the petitioner.

MARCH 15, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE