

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

**CWP No.744 of 2016 (O&M)
Decided on : 29.01.2016**

Gurmeet 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)

CM-1124-2016

Application for placing on record the affidavit, is allowed. Same is taken on record. Office to tag the same at appropriate place.

Main case

The petitioner seeks the release of retiral benefits in terms of Gratuity, GPF, monthly pension, along with interest @ 12% per annum, from the date of his retirement, i.e., 31.03.2014.

It is the case of the petitioner that he was appointed as Panchayat Secretary on 23.06.1978 and promoted as Panchayat Officer on 18.10.2012 and retired on 31.03.2014. No charge-sheet or any departmental proceedings are pending against him. Apart from a sum of Rs.4,08,000/-, on account of leave encashment, paid to him in December, 2014, the other retiral dues have not been paid. Legal notice dated 06.07.2015 (Annexure P2) has also been served upon the respondents, claiming the said retiral dues along with interest, but of no avail.

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 and the fact that the petitioner is entitled, as per law, regarding the retiral dues along with interest, if there is inordinate delay beyond 2 months, 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, within a period of 2 months from today. The said respondent shall also take into consideration the issue of delay in the release of the retiral benefits and the liability of the respondents to pay the interest, as per the judgment of the Full Bench in the case of **A.S.Randhawa** (supra). In case there is any legal impediment, a speaking order be passed and the same be conveyed to the petitioner.

JANUARY 29, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE