

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9029 of 2016
Decided on : 10.05.2016

Balram Shukla

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present : Mr.Amit Shukla, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

Petitioner seeks release of pensionary benefits along with all consequential benefits along with interest @ 18% per annum, on account of delayed payment.

It is the case of the petitioner that he was appointed as Conductor in September, 1981 and retired as Inspector on 31.08.2015. The retiral benefits of the petitioner are still pending in spite of the fact that Pension Payment Order dated 23.12.2015 (Annexure P1) has been prepared by the office of the Accountant General.

Counsel submits that a legal notice dated 18.03.2016 (Annexure P2) has also been served upon the respondents for the said relief and there is no charge-sheet pending and therefore, no legal impediment is there, as such, against the petitioner, for receiving the retiral dues. It has also been pointed out that after serving of the legal notice, the petitioner has received the amount against Leave Encashment but the other retiral dues are still pending.

Notice of motion.

Mr.R.S.Sidhu, 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 decide the said claim, within a period of 2 months from today and ensure that the dues are paid to the petitioner. The said respondent shall also take into consideration the entitlement of the petitioner for payment of interest on the ground of delay beyond a period of 2 months, 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 monetary dues along with interest be disbursed to him, thereafter. In case the amount is to be denied, a speaking order be passed and the same be conveyed to the petitioner.

MAY 10, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE