

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.9067 of 2016**  
**Decided on : 10.05.2016**

Rajinder Singh Pandher

... Petitioner

Versus

State of Punjab & others

... Respondents

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

Present : Mr.R.K.Arora, Advocate, for the petitioner.

**G.S. Sandhawalia , J. (Oral)**

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

It is the case of the petitioner that he was appointed as Agriculture Inspector on 11.09.1979 and earned promotions and retired on 31.01.2013, on attaining the age of 58 years. Thereafter, he was given extension in service for a period of 2 years and he finally retired on 31.01.2015, from the post of Joint Director.

Counsel submits that a representation dated 09.07.2015 (Annexure P4), for payment of his pension and other related benefits had been made to respondent No.2, which has been followed up on 02.03.2016 (Annexure P11). It is submitted that apart from 90% payment of the GPF, other retiral dues are still pending. Reference is also made to order dated 14.03.2016 (Annexure P12) whereby his Leave Encashment has been calculated as Rs.10,96,656/-, by decreasing it from the earlier amount of Rs.11,67,939 (Annexure P10). It is submitted that a period of more than a year has gone by and thus, the petitioner is

entitled for his retiral dues along with interest as there is no legal impediment, such as charge-sheet etc.

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**