

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 23997 OF 2016
DECIDED ON: DECEMBER 06, 2017

SURINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: None for the petitioner.

Ms. Devaki Anand Sullar, AAG, Punjab.

JASPAL SINGH, J (ORAL)

A glance at the reply filed by way of affidavit of Mr. Amarjeet Singh, Executive Engineer, Shah Nehar Head Works Division, Talwara, District Hoshiarpur, Punjab on behalf of respondent No.3 transpires that retiral benefits have already been released/disbursed to the petitioner during the pendency of instant petition.

2. However, the petitioner stood retired from service on attaining the age of superannuation on 31.07.2014 as Auto Mechanic whereas the retiral benefits have been paid in the year 2016-17 i.e. after an inordinate delay. There is no plausible explanation furnished by respondent No.3 in his reply with regard to the delay in disbursement of retiral benefits. As such, there is nothing on the record to suggest that delay is attributable to the petitioner. Rather, respondents were obliged to make the payment of the retiral benefits at the most

within a period of three months from the date of retirement of the petitioner, which has not been done in the instant case. Accordingly, petitioner is held entitled to interest @ 9% per annum, after expiry of three months from the date of retirement till the actual payments, which shall be calculated and paid to petitioner within a period of two months positively. In case of non-compliance, petitioner shall be at liberty to approach this Court.

DECEMBER 06, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***