

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

(132)

CWP-32262-2018

Date of Decision: December 17, 2018

Roshni Devi

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Peeush Gagneja, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present case, the husband of the petitioner had approached this Court seeking the release of the retiral benefits which were not released to him. He filed CWP No.10052 of 2017 which was disposed of by this Court on 11.05.2017. While disposing of the said writ petition, this Court had mentioned that the grant of interest on the delayed payment should also be considered by the respondents.

Learned counsel for the petitioner states that vide Annexure P-6, the petitioner's husband was held entitled to a sum of Rs.7,46,755/- but the same has also not been released to him by stating poor financial status of the Municipal Council, Bhucho Mandi.

Learned counsel for the petitioner states that now the amount of Rs.7,46,755/- has been paid but the same was paid in May, 2018 whereas, the husband of the petitioner had retired on 30.04.2016 and therefore, the petitioner was entitled for the interest on the delayed payments as per the law laid down by the full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468.**

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 04.09.2018 (Annexure P-9). He further states that the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the legal notice dated 04.09.2018 (Annexure P-9) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 04.09.2018 (Annexure P-9), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 04.09.2018 (Annexure P-9) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within three months thereafter.

December 17, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No