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

CWP-988-2019

Date of Decision: 16.01.2019

Bir Singh

... Petitioner

vs.

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K.Kaushik, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J

Learned counsel for the petitioner states that though the petitioner has retired on 31.12.2017, the actual payment was released to him after a period of five months.

Learned counsel for the petitioner relies upon the instructions dated 20.02.2002 which have been issued by the State of Haryana to contend that as per Clause 4 of the said instructions, if there is a delay beyond three months in releasing the retiral benefits, the employee is entitled for the interest from the date the payment became due till the date of payment and, therefore, the petitioner is entitled for interest on the delayed payment as the the dealy is more than three months in the present case.

Learned counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has made representations, which have been collectively attached with the present writ petition as Annexures P5 and P6, to the respondent(s) for grant of same relief, as being sought in the present writ petition. He further states that the petitioners will be satisfied, at this stage, in case, a time bound direction is given to respondents to decide the representations (Annexure P5 and P6) by passing a speaking order within

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a period of three months from the receipt of certified copy of this order.

In view of the above, the present writ petition is disposed of with a direction to respondents to pass an appropriate speaking order on the representations (Annexure P-5 and P6) 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 said representations, the same should also be paid to him within three months thereafter.

16.01.2019
smriti

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No