

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1028-2019

Date of decision: - 17.01.2019

Ramesh Kumar

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashutosh Kaushik, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the petitioner is seeking the interest on the delayed release of his retiral benefits.

Counsel for the petitioner states that the petitioner retired on 31.07.2016 but the actual benefits after his retirement were released to him only starting from September, 2017 till May, 2018.

Counsel for the petitioner further states that there was no justifiable reason with the respondents to withhold the said benefits as there was no proceeding pending against the petitioner, which would have entitled the respondents to withhold the benefits. He further states that keeping in view the law laid down by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others**, 1997(3) SCT 468, the employee is entitled for the interest on the delayed payments.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner has submitted the representations dated 22.01.2018 and 16.05.2018 (Annexure P-4 {Colly.}), which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representations.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the representations dated 22.01.2018 and 16.05.2018 (Annexure P-4 {Colly.}) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

January 17, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	No
Whether reportable?	No