

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 4937 of 2019

Date of Decision : 25.02.2019

Chaman Lal

...Petitioner

Versus

Pepsu Road Transport Corporation and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Sunny Singla, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim which is being made by the petitioner, is for the grant of interest on the delayed release of his retiral benefits such as Gratuity, Leave Encashment etc.

As per the facts stated in the writ petition, the petitioner retired on 31.01.2015, whereas the amount of Leave Encashment and gratuity was paid to him on 03.07.2015 and 15.08.2016 respectively. Learned counsel for the petitioner states that there was no impediment in release of the said benefits immediately after retirement still, the benefits were delayed, hence the petitioner becomes entitled for the grant of interest on the said payments in view of the law laid down by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 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 29.09.2018 (Annexure P-3) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 29.09.2018 (Annexure P-3) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

February 25, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No