

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6587-2019

Date of decision: - 12.03.2019

Zile Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sandeep Singal, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that he retired on 31.12.2016, whereas the pensionary benefits were released to him after an undue and unexplained delay. The detail of the payments have been given in para No.4 of the writ petition.

Counsel for the petitioner states that leave encashment was paid to the petitioner in March/April, 2017; gratuity amounting to ₹10,00,000/- was paid in August, 2018 and commutation of pension amounting to ₹16,11,251/- was paid to him in August, 2018.

Counsel for the petitioner states that as there is no justifiable reason with the respondent to withhold the said benefits and therefore, as per the settled principle of law settled by a Full Bench of this Court in

case A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468, the petitioner is entitled for interest on the delayed release of the payments.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice on 04.12.2018 (Annexure P-5), which is 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 legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 04.12.2018 (Annexure P-5) 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.

March 12, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No