

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 10506 of 2019
Date of Decision : 24.04.2019

Raghubir Singh

...Petitioner

Versus

Punjab State Power Corporation Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed by the petitioner seeking interest on the delayed release of the retiral benefits.

For the claim of interest, reliance has been placed on the decision rendered by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468.***

As per the averments made in the writ petition, petitioner had retired as Sub Divisional Officer on attaining the age of superannuation on 31.08.2018. As per the averments made in the writ petition, there was no charge-sheet or any disciplinary criminal proceeding pending against the petitioner at the time of superannuation. The pensionary benefits were released starting from November, 2018 onwards till March, 2019. As there is a delay in release of the pensionary benefits, the interest on the delayed

release of the pensionary benefits has been sought by relying upon the judgment of the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468*.

From the averments made in the writ petition, it transpires that for the relief, which has been claimed in the present writ petition, the petitioner has served upon the respondents a legal notice dated 15.03.2019 (Annexure P-2) and as per the averments made in the writ petition, the said legal notice is still pending consideration with the respondents.

Interest of justice will be served, at this stage, in case a time bound direction is given to the respondents to decide the said legal notice by passing an appropriate speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed 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 15.03.2019 (Annexure P-2) 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.

April 24, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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