

**CM-10358-CWP-2016 in/and
CWP-13675-2009**

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

**CM-10358-CWP-2016 in/and
CWP-13675-2009
Date of decision: - 10.09.2019**

Niranjan Singh

....Petitioner

Versus

Punjab State Electricity Board and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Ranjivan Singh, Advocate
for the applicant-petitioner.

None for the respondents.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-10358-CWP-2016

By this application, the applicant-petitioner is praying for issuance of direction to the Regional Provident Fund Commissioner, Bathinda to furnish the details of the amount paid to the applicant-petitioner on account of EPF and also for disposal/early hearing of the main writ petition for some actual date.

Keeping in view the facts stated therein, the application is allowed and the main writ petition is taken up today itself.

CWP-13675-2009

In the present writ petition, the prayer made by the petitioner is that work charge service be taken into account for computing the

pensionary benefits of the petitioner keeping in view the settled principle of law settled by the Full Bench of this Court in '**Kesar Chand Vs. State of Punjab and others**', AIR 1988 Punjab 265.

Counsel for the petitioner very fairly states that during the pendency of the writ petition, the respondents have granted the petitioner the said benefit and revised his pension and pensionary benefits and also have released the arrears, but the petitioner was entitled for the said relief when he superannuated on 31.05.2004, whereas the relief has been granted to the petitioner in May 2019. Counsel prays that the only claim surviving is for interest on the said delayed payments.

Counsel for the petitioner further states that he may be allowed to withdraw the present writ petition with a liberty to the petitioner to approach the respondents to claim the said benefit of interest by submitting an appropriate representation keeping in view the law laid down by this Full Bench of this Court in '**A.S. Randhawa Vs. State of Punjab and others**, 1997(3) SCT 468, wherein, it has been held that in case there is a delay of more than two months in the release of the pensionary benefits, the employee needs to be compensated by an award of interest. Counsel prays that the representation, which is to be filed by the petitioner, be decided in a time bound manner as the petitioner was already litigating for the last more than 14 years before this Court.

Keeping in view the request made by learned counsel for the petitioner, the petitioner is allowed to withdraw the present writ petition with liberty to approach the respondents to claim the interest on the

delayed release of the benefits after the revising of his pensionary benefits by filing an appropriate representation claiming the interest on the same. Further, the respondents are directed that in case any representation is submitted by the petitioner claiming the interest, the same shall be decided in accordance with law by taking into consideration the settled principle of law settled by the Full Bench of this Court in A.S. Randhawa' case (supra), within a period of three months from the receipt of the said representation. In case after the passing of the appropriate order, the petitioner is found entitled for the grant of interest, the same shall also be released to him within a period of two months thereafter.

In view of the above, present writ petition stands dismissed as withdrawn, with the liberty, as prayed for.

September 10, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No