

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15231-2019

Date of decision: - 30.05.2019

Gurcharan Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Hardeep Singh, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance of the petitioner is that though she retired from service on 31.07.2013, but the pensionary benefits were only released to her starting from March, 2014 till December, 2016 in instalments.

Counsel for the petitioner argues that there was no valid justification with the respondents to withhold the pensionary benefits as there was no proceeding which was pending against the petitioner at the time of the retirement which would entitle the respondents to withhold the pensionary benefits.

Counsel for the petitioner further argues that keeping in view the settled principle of law settled by a Full Bench of this Court in **A.S.**

Randhawa Vs. State of Punjab and others, 1997(3) SCT 468, the

petitioner is entitled for the grant of interest as the pensionary benefits were released after a delay of more than 8 months to 1½ years.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice dated 21.02.2019 (Annexure P-4), 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 21.02.2019 (Annexure P-4) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

May 30, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No