

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 15322 of 2019
Date of Decision : 30.05.2019

Jeet Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr. Ram Niwas Sharma, 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 though he retired from service on 31.05.2013 but the benefits for which he was entitled after his retirement, were released in installments on various dates starting from March, 2014 onwards till 11.01.2019.

As per the averments made in the writ petition, petitioner was released the benefit of CPF amounting to ₹7,14,958/- as well as leave encashment amounting to ₹4,51,620/- on 14.03.2014 i.e. 8 months after his retirement. Gratuity amounting to ₹7,45,173/- has been released only on 11.01.2019, which is approximately after five and half years of his retirement.

Learned counsel for the petitioner states that there was no valid justification with the respondents to withhold the said benefit and release them in installments and keeping in view the settled principle of law settled

by the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468*, petitioner becomes entitled for interest on these delayed payments.

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 04.03.2019 (Annexure P-10) 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 04.03.2019 (Annexure P-10) 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.

May 30, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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