

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

244

CWP No.10907 of 2017

Decided on : 22.07.2019

Harnek Singh

... Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM : HON'BLE MR.JUSTICE HARSIMRAN SINGH SETHI

Present : Mr.Hoshiar Singh, Advocate for
Mr.Peeush Gagneja, Advocate for the petitioner.
Mr.V.M.Gupta, Addl.AG, Punjab.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, a prayer which is being made by the petitioner is for the grant of interest on the delayed payment of retirement benefits.

As per averments made in the writ petition, the petitioner retired from services on 31.01.2014 on attaining the age of superannuation. His retiral benefits were not released by the respondents, which led to the filing of Civil Writ Petition No.15014 of 2015 and this Court had disposed of the said writ petition on 27.7.2015 directing the respondents to decide the representation, Annexure P-2 in accordance with law, by passing a speaking order, within a period of two months from the date of receipt of a certified copy of the order and in case, the amount is found due, the same may be released within a period of two months thereafter.

Keeping in view of the directions given, the pensionary benefits of the petitioner were released but after undue delay and the

present writ petition has been filed by the petitioner claiming interest on the delayed release of the pensionary benefits keeping in view the law laid down by Full Bench of this Court in case titled as “A.S.Randhawa Vs. State of Punjab”, 1997 (3) SCT 468.

Notice of motion was issued on 31.10.2017 but no reply has been filed so far by the respondents.

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 03.11.2016 (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 03.11.2016 (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 aforesaid decision, it is found that the petitioner is entitled for any monetary benefits, the same shall also be released to him within a period of three months thereafter.

Present writ petition stands disposed of.

[HARSIMRAN SINGH SETHI]
JUDGE

22.07.2019

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No