

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

(246)

CWP-15174-2016

Date of Decision: March 06, 2019

Kulwantjit Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ajay Pal Singh, Advocate, for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab, with
Mr. Jatinder Mahajan, Executive Officer.

Mr. Vishnav Gandhi, Advocate, for respondent No.5.

HARSIMRAN SINGH SETHI, J.(ORAL)

Costs has been paid to the petitioner.

In the present writ petition, the grievance raised by the petitioner is that the pensionary benefits of the petitioner are not being released despite the fact that he retired wayback on 31.01.2016.

On the last date of hearing, the Executive Officer was asked to remain present in the Court to explain as to why the payments have not been released so far.

Today, a statement has been made that all the payments for which the petitioner was entitled for, have already been released. An amount of Rs.18,32,638/- has been paid to the petitioner. A detailed chart showing payments under different heads is produced by the Executive Officer.

Learned counsel for the petitioner states that as the petitioner retired on 31.01.2016, the petitioner is entitled for the interest on the delayed release of the payments. He further states that his arrears on account of revision of the pay scale w.e.f. 01.01.2006 has not been correctly

fixed by the respondents while arriving at the arrears of Rs.3,84,294/-.

Learned counsel for the petitioner states that the petitioner be given liberty to file appropriate representation with the respondents claiming the interest as well as for the payment of correct amount on account of arrears on revision of pay scale w.e.f. 01.01.2006 keeping in view the law laid down by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468.**

The present writ petition is disposed of with a direction that in case the petitioner files a representation claiming the interest as well as the correct amount of arrears, which according to him, he was entitled for, within a period of four weeks from today, the respondents shall decide the said representation within a period of next two months by passing an appropriate speaking order.

In case after the decision of the representation, it is found that the petitioner is entitled for any monetary benefits including the arrears, the said amount shall also be released to the petitioner within a period of two months thereafter.

March 06, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No