

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

CWP-11834-2017

Date of decision: - 30.01.2019

Harbhajan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ankush Sharma, Advocate
for Mr. M.K. Dogra, Advocate,
for the petitioner.

Ms. Deepali Puri Sandhu, Additional Advocate General, Pb.

HARSIMRAN SINGH SETHI, J. (ORAL)

In compliance of order dated 14.01.2019, an additional affidavit of Sh. Surinder Mohan, Financial Adviser-cum-Chief Accounts Officer, (FA&CAO) Ranjit Sagar Dam Shahpurkandi Township, Tehsil and District Pathankot has been filed today in the Court and the same is taken on record. A copy thereof has been supplied to counsel for the respondent.

In the said affidavit, the respondents have clearly stated that the benefits for which the present writ petition was filed by the petitioner, have already been released to the petitioner and even the arrears have already been paid to him. The relevant paragraphs No.3 and 4 of the

affidavit is as under:-

“3. That the pay of the petitioner has been revised by restoring of 3 Nos. retrenchment increment and 4 nos. special increments in terms of the Order dated 16-7-2014 passed by the Hon'ble Supreme Court of India, New Delhi in SLP(C) No.13027 of 2011 titled State of Punjab V/S Tarlok Chand & others.

4. That the petitioner was transferred to BBMB, organization and he has been retired from his service from the office of that organization. Now this office after re-fixing his pay, all the service record stands transferred to the BBMB, organization i.e. Respondent No.3 and all the retiral dues have to be paid by the same organization.”

In view of the above, the relief for which the present writ petition was filed has already been extended to the petitioner and the same has been even admitted by the counsel for the petitioner.

Counsel for the petitioner states that the petitioner is entitled for the interest on this delayed payment as well. He states that a liberty be granted to the petitioner to approach the respondents by filing appropriate representation for the grant of the interest.

In case any representation is filed by the petitioner within a period of four weeks from today claiming the interest on the delayed release of the payment, the same shall be decided by the respondents by passing an appropriate speaking order, within a period of three months from the date of receipt of any such representation. In case after the decision, it is found that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

It is made clear that this Court does not express any opinion on the merits of the case and the claim being made in the present writ petition or the representation to be filed by the petitioner before the respondents.

Present writ petition stands disposed of.

January 30, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No