

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20809-2014

Date of decision: - 24.01.2019

Mehar Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Malhar Singh Dhami, Advocate, for the petitioners.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. Sumit Gupta, Advocate, for respondent No.3.

HARSIMRAN SINGH SETHI, J. (ORAL)

Short reply by way of affidavit has been filed on behalf of respondents No.1 and 2 today in the Court and the same is taken on record. A copy thereof has been supplied to counsel for the petitioner.

As per the averments made in the above-said affidavit, pension case of the petitioner was sent in all respects to the Accountant General, Punjab on 12.07.2018 and the same was forwarded to the Treasury on 06.08.2018. Further, the Treasury after approval, directed the Bank to make the payment vide their office letter No.5992-93 dated 20.11.2018. It has been stated that the payment has already been released in the favour of the petitioner.

Counsel for the petitioner accepts that payment has already been made and received by the petitioner, but submits that the petitioner

retired on 30.04.2010, whereas the amount has been released to him in January, 2019, therefore, he is entitled for the interest. He prays that a liberty be granted to the petitioner to file representation to claim the interest on the delayed payment in view of 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. He further states that the respondents be also directed to decide the said representation by passing an appropriate speaking order on the same in a time bound manner.

Counsel for the respondents has no objection with regard to filing of the representation and passing of an appropriate order on the same in a time bound manner.

In view of the above, the present writ petition is disposed of with a direction that in case any representation is filed by the petitioner, within a period of one month from today, 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, keeping in view the settled principle of law noticed above. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next one month.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 24, 2019
naresh.k

Whether reasoned/speaking?
Whether reportable?

Yes
No