

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

**CWP No. 20366 of 2016
Date of Decision : 09.05.2019**

Hans Raj

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nitesh Singla, Advocate for
Mr. Gurbhajneek Samra, Advocate for the petitioner.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. Abhivadya Sood, Advocate for respondent No. 4.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim of the petitioner is for the grant of ACP after a period of four years from 01.09.2002 instead of 01.01.2004 and further re-fixing of the pensionary benefits of the petitioner after the grant of the said benefit. The benefit of grant of ACP after 4 years of service from 01.01.2002 was not acceded to by the respondents while passing Annexure P-3, which was passed in the year 2008 when the petitioner was in service. The said order is not under challenge in the present writ petition.

In the reply, the respondents have attached an order dated 08.03.2017 (Annexure R-1/T) by which petitioner has been granted the benefit of ACP after 9 years of service w.e.f. 01.01.2008.

Learned counsel for the respondents do not dispute that the benefit in terms of the said order have already been released to the petitioner but the grievance is that petitioner has not allowed interest though, the benefit has been released to him in the year 2017 though w.e.f. 01.01.2008.

Learned counsel for the petitioner seeks liberty to approach respondents by filing representation seeking the grant of interest on the said delayed payment by filing appropriate representation.

Learned counsel for the respondents very fairly state that in case any such representation is filed, the same will be decided expeditiously by passing an appropriate speaking order within a period of three months of the receipt of the same keeping in view the facts of the case and the law on the point as settled by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468.***

In view of the above, no further orders are required to be passed in the present writ petition and the same is disposed of having been rendered infructuous.

May 09, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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