

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

(118)

CWP-20682-2019

Date of Decision: July 29, 2019

Hari Pal

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that though the petitioner retired from service on 31.12.2013 but his pensionary benefits were only released in August, 2017 and therefore, on the delayed release of the pensionary benefits, the petitioner is entitled for the grant of interest keeping in view the law laid down by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468.**

As per the averments made in the writ petition, the allegation of the petitioner is that there was no impediment in the release of the pensionary benefits immediately upon his retirement but the release of the pensionary benefits was delayed by the respondents without any valid justification and therefore, prayer of the petitioner in the present writ petition is for issuance of a direction to the respondents to grant the interest to the petitioner on the delayed release of the payments.

From the pleadings, it transpires that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 14.03.2019 (Annexure P-4) which is

still pending consideration with the respondents and the interest of justice will be served, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 14.03.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 14.03.2019 (Annexure P-4) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

July 29, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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