

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21089-2018

Date of decision: - 15.07.2019

Karam Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. H.K. Brinda, Advocate, for the petitioner.

Mr. Navdeep Chhabra, Additional Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that he should be released the retiral benefits such as DCRG/Leave Encashment and arrears of the pay fixation, in terms of letter dated 27.11.2017 (Annexure P-5).

Counsel for the petitioner argues that vide letter dated 27.11.2017 (Annexure P-5), the respondents have already calculated the amount for which the petitioner is entitled for, but despite an expiry of more than two years, the benefits have not been released to him.

Counsel for the petitioner states that at this stage the petitioner will be satisfied in case a time bound direction is issued to the respondents to decide the legal notice, which the petitioner has served upon the respondents on 15.03.2018 (Annexure P-6) by passing a

speaking order. He further states that as there is a delay in the release of the admitted amount, the question for the grant of interest be also decided by the respondents while considering the case for the release of the amount of DCRG, leave encashment and arrears of pay fixation.

Counsel for the respondents states that the respondents have no objection in deciding the claim of the petitioner for the release of the amount for which he is entitled for by deciding his legal notice dated 15.03.2018 (Annexure P-6) in a time bound by passing a speaking order. He further undertakes that while deciding the said legal notice, the claim of the petitioner for the grant of interest on those amounts will also be considered and decided.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 15.03.2018 (Annexure P-6) by passing a speaking order within a period of two months from the date of receipt of a certified copy of this order. 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 two months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 15, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No