

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.3292 of 2016

DATE OF DECISION:13.02.2019

Balbir Singh

... Petitioner

Versus

The State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Mr. Mehardeep Singh, Additional Advocate General,
Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the claim which has been made by the petitioner is for the release of his retiral benefits alongwith interest @ 18% per annum.

As per the facts stated in the writ petition, the petitioner was appointed as a Driver with respondent No.3 and he continued working as such till he retired on attaining the age of superannuation on 31.05.2014. After the retirement, the benefits for which the petitioner became entitled for were not released. The petitioner filed the present writ petition seeking those benefits.

In reply, the respondents have given the following chart to show that the retiral benefits have already been paid:

Sr. No.	Description	Date of payment	Amount in Rs.
1.	G.P.F.	04.06.14	16,88,123/-
2.	Leave Encashment	14.11.14	3,99,200/-
3.	G.I.S.	19.12.14	10,136/-
4.	Provisional pension	01.06.14 to till date	at full rate

In para 6, the respondents have stated that the payment of the DCRG and regular pension will be released to the petitioner as and when the same will be approved by the Accountant General, Punjab, Chandigarh.

Counsel for the petitioner fairly states that those payments have been made to the petitioner.

Counsel for the petitioner states that though the payments have been made, the petitioner is entitled for interest on the delayed payments keeping in view of law laid down by Full Bench of this Court in the case of **A.S. Randhawa Vs. State of Punjab 1997(3) SCT 468**. He states that the petitioner be given liberty to file appropriate representation with the respondents seeking the said claim by giving the dates on which the payments were made keeping in view the date of retirement.

Counsel for the petitioner prays that in case the petitioner files such representation, the respondents shall decide the same in a time bound manner.

Counsel for the respondents states that in case any

representation claiming interest is filed by the petitioner, the same shall be decided expeditiously within a period of three months from the date of receipt of the representation and while passing appropriate order, the decision of Full Bench in **A.S. Randhawa's case (supra)** will be kept in mind.

In view of the undertaking given by the respondents, counsel for the petitioner does not wish to press the present writ petition any further and the same is disposed of as such.

In case, after deciding the representation, the petitioner is found entitled for any monetary benefits, the same shall also be released to the petitioner within a period of three months thereafter.

February 13, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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