

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 26005 of 2018
Date of Decision : 25.01.2019

Ghanshyam Sharma

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Neeraj Sharma, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim of the petitioner is for the grant of interest on the delayed release of retiral benefits.

As per the averments made in the present writ petition, the petitioner retired from service on 31.05.2012.

Learned counsel for the petitioner states that despite the fact that the petitioner had already retired in the year 2012, payment of the retiral dues were paid only in August, 2014. Learned counsel for the petitioner further states that in view of the law laid down by Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab*, 1997 (3) SCT 468, the petitioner is entitled for interest as there was no valid justification with the respondents to withhold the said pensionary benefits.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 25.12.2017 (Annexure P-3) and

the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 25.12.2017 (Annexure P-3) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

January 25, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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