

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

(225)

CWP-5842-2017

Date of Decision: March 29, 2019

Gurdip Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.S. Bedi, Advocate, for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that in the present writ petition, the grievance raised by the petitioner was that though the petitioner retired on 30.04.2007, the benefits for which he was entitled for, were not being released to him such as gratuity and leave encashment.

Today, learned counsel for the petitioner states that though the benefits have been released but the same has been released after a delay. He further states that the said benefits were illegally held only on the basis of an FIR though, on the date of retirement, there was no challan filed and as no challan was filed, it could not have been said that the criminal proceedings were pending against the petitioner in view of the judgment of the Hon'ble Supreme Court of India in **Union of India and others vs. K.V. Jankiraman 1991 (4) SCC 109.**

Learned counsel for the petitioner states that the petitioner be given liberty to approach the respondents by filing an appropriate representation claiming the interest on the delayed released of the benefits in view of the settled principle of law settled by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468.**

Learned counsel for the respondents very fairly states that in case any such representation is filed by the petitioner claiming interest, the same will be considered on merits and in view of the settled principle of law as mentioned above and an appropriate order will be passed while deciding the said claim within a period of two months from the receipt of the said representation.

Learned counsel for the petitioner states that in view of the undertaking given by counsel for the respondents, he does not wish to press the writ petition any further.

The present writ petition is disposed of as not pressed.

(HARSIMRAN SINGH SETHI)
JUDGE

March 29, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No