

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-25006 of 2019

Date of decision: 09.09.2019

Rajinder Singh

.... Petitioner

versus

Pepsu Road Transport Corporation and another

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunny Singla, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

In the present writ petition, the prayer of the petitioner is for the grant of interest on the delayed release of pensionary benefits as well as overtime allowance keeping in view the law laid down by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab 1997(3) S.C.T. 468** according to which, in case the retiral benefits are not released in a reasonable time i.e. two months, an employee will be entitled for interest on delayed release of pensionary benefits.

Counsel for the petitioner argues that though the petitioner retired on 30.04.2013 but his pensionary benefits have been released in the year February, 2019 without any valid justification. Counsel further argues that at the time of retirement of the petitioner or thereafter, no proceedings were pending against him which would have entitled the respondents to withheld his pensionary benefits as well as over time allowance. Counsel prays that a direction needs to be issued to the respondents to grant the benefit of interest on the payments released to the petitioner after inordinate delay.

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 legal notice dated 12.07.2019 (Annexure P-5), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondents to decide the said legal notice.

In view of the request made, 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 12.07.2019 (Annexure P-5) by passing a speaking order within a period of three 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 three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

09.09.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |