

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

(119)

CWP-26149-2019

Date of Decision: September 17, 2019

Pritam Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gurjinder Singh Chahal, Advocate, for the petitioners.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners submits that the petitioners retired on various dates starting from the year 2016 till 2018 and the retiral benefits of the petitioners were not released within a reasonable time, as fixed by the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468*, and therefore, on the delayed payments, petitioners are entitled for the grant of interest.

Learned counsel for the petitioners argues that there was no impediment in the release of the pensionary benefits as there were no proceedings either departmental or before any competent Court of law, pending against the petitioners which would entitle the respondents to withhold the pensionary benefits but still they were released by the respondents after inordinate delay.

Learned counsel for the petitioners fairly admits that before approaching this Court, the petitioners have never approached the respondents for the relief as being claimed in the present writ petition.

No mandamus can be issued by this Court where no claim has been raised by the petitioners regarding the said relief before the respondents.

Faced with this situation, learned counsel for the petitioners prays that he be allowed to withdraw the present writ petition with liberty to approach the respondents for raising the claim, as raised in the present writ petition.

Counsel for the petitioners prays that the respondents be time bound to decide the said claim.

As no claim has been raised so far, no time bound direction can be issued, at this stage as this Court has no apprehension that in case any claim is raised by the petitioners, the same will not be decided by the respondents expeditiously.

Dismissed as withdrawn with liberty as prayed for.

September 17, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No