

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

(136)

CWP-26473-2019

Date of Decision: September 18, 2019

Rajwinder Kaur

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that the petitioner retired from service on 31.01.2015 and the benefit of gratuity and leave encashment were released to the petitioner within reasonable time on 14.03.2015 but the pension though sanctioned in February, 2015, was actually released in December, 2018. Learned counsel for the petitioner further states that even the provident fund was released to the petitioner in January, 2019.

Learned counsel for the petitioner argues that petitioner is entitled for the interest on the delayed release of pension and GPF fund keeping in view 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**, as there was no impediment in the release of the pensionary benefits of the petitioner as no proceedings were pending against the petitioner, which would have entitled the respondents to withhold the pensionary benefits.

Learned counsel for the petitioner prays that a direction be issued to the respondents to grant the interest to the petitioner on the delayed release of the pension as well as GPF.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted a representation dated 12.02.2019 (Annexure P-4) to the respondents, 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 the respondents to decide the said representation by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the representation dated 12.02.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 12.02.2019 (Annexure P-4), within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same should also be paid to her within three months thereafter.

September 18, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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