

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-32630-2019

Date of decision: - 13.11.2019

Balbir Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Surmukh Singh, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance, which is being raised in the present writ petition is that the petitioner retired on attaining the age of superannuation on 31.03.2016, but the benefit of leave encashment was only extended to the petitioner on 14.12.2017 i.e. after a period of more than 1½ years, whereas, as per the settled principle of law settled by a Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others**, 1997(3) SCT 468, the retiral benefits are to be released within a period of two months from retirement in case there is no impediment and in case there is delay, employee will be entitled for interest. The claim of the petitioner in the present writ petition is for issuance to the directions to the respondents to grant the petitioner the interest on the delayed payment of leave encashment.

Counsel for the petitioner states that for the relief, which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 01.07.2017 (Annexure P-3), 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 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, respondent No.2 is directed to decide the legal notice dated 01.07.2017 (Annexure P-3) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

November 13, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No