

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

(114)

CWP-32259-2019

Date of Decision: November 07, 2019

Jagdish Chand

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner is claiming the interest on the delayed release of the retiral benefits 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.**

Learned counsel for the petitioner argues that as per the law laid down in **A.S. Randhawa's case (supra)**, the pensionary benefits are to be released within a period of two months of the retirement, if there is no impediment whereas in the present case, though the petitioner retired from service on attaining the age of superannuation on 30.04.2017, the benefits for which petitioner was entitled, have only been released starting from March, 2017 onwards till January, 2019, even though there was no impediment in the release of the same and therefore, petitioner becomes entitled for the benefit of interest on the said delayed payments.

The prayer of the petitioner is for issuance of a direction to the respondents to release the interest on the delayed payments.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted the representations dated 24.11.2017 (Annexure P-1), 23.01.2018

(Annexure P-2) and 26.04.2018 (Annexure P-3) with the respondents, which are still pending consideration and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.4 to decide the said representations 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 him in the representations dated 24.11.2017 (Annexure P-1), 23.01.2018 (Annexure P-2) and 26.04.2018 (Annexure P-3), the present writ petition is disposed of with a direction to respondent No.4 to decide the representations dated 24.11.2017 (Annexure P-1), 23.01.2018 (Annexure P-2) and 26.04.2018 (Annexure P-3), 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 representations, the same should also be paid to him within three months thereafter.

November 07, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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