

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.32471 of 2019

DATE OF DECISION:08.11.2019

Joga Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gopal Singh Nahel, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the counsel for the petitioner is that though the petitioner retired on attaining the age of superannuation on 31.08.2017 but the gratuity of the petitioner was released on 31.03.2019 i.e. after a delay of 18 months.

It has been further contended by the learned counsel for the petitioner that there were no proceedings pending against the petitioner either departmental or before any competent Court of Law, which would have entitled the respondents to withhold the said gratuity hence retaining of the gratuity beyond the reasonable period was without any valid justification. Therefore, for the delay, the petitioner needs to be compensated by the grant of interest.

Counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted with the respondents a representation dated 16.07.2019

(Annexure P-1), 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 dated 16.07.2019 (Annexure P-1) 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 representation dated 16.07.2019 (Annexure P-1), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 16.07.2019 (Annexure P-1) 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 him within three months thereafter.

November 08, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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