

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-32856-2019

Date of decision: - 14.11.2019

Tej Partap Singh

....Petitioner

Versus

The Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. J.S. Jaidka, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner contends that the pensionary benefits of the petitioner have been withheld only due to a charge-sheet dated 18.09.2019 (Annexure P-2), which has been served upon him after he had already superannuated on 30.04.2019.

Learned counsel for the petitioner argues that keeping in view the settled principle of law settled by this Court more than once, a charge-sheet, which has been served after the retirement, the pensionary benefits cannot be withheld on the basis of the said charge-sheet. Counsel for the petitioner relies upon **L.R. Dhawan Vs. State of Haryana and others, 1996(3) S.C.T. 11.**

Counsel for the petitioner further argues that even the pensionary benefits, which have been released, have been released after a

delay of more than two months and therefore, the petitioner is entitled for interest on the said delayed release of the pensionary benefits keeping in view the judgment of Full Bench of this Court in A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468. The prayer of the petitioner is for issuance of a direction to the respondents to release all the pensionary benefits forthwith alongwith interest from the date the benefits had become due to him.

Counsel for the petitioner further states that for the relief, which has been sought in the present writ petition, petitioner has submitted the representation dated 25.09.2019 (Annexure P-4) (wrongly mentioned as 25.09.2018 in the writ petition), 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 representations.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the representation dated 25.09.2019 (Annexure P-4) 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.

(HARSIMRAN SINGH SETHI)
JUDGE

November 14, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No