

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-33118-2019

Date of decision: - 16.11.2019

Jagtar Singh

....Petitioner

Versus

Punjabi University and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ranjit Singh Kalra, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that though the petitioner had retired on attaining the age of superannuation on 31.08.2012, but the commuted pension was released to him only on 26.07.2013 i.e. after a delay of approximately 10 months.

Learned counsel further argues that gratuity was paid to the petitioner only in April/July, 2015, which is approximately after three years of the retirement, 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, therefore, the petitioner is entitled for interest on the delayed release of the pensionary benefits. The prayer of the petitioner is for directing the respondents to grant the interest on the delayed release of the pensionary benefits keeping in view the settled principle of law

noticed above.

Counsel for the petitioner further states that for the relief which is claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 09.09.2019 (Annexure P-7), 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.

Notice of motion.

Keeping in view the advance copy supplied to the respondents, Mr. Ajaivir Singh, Advocate, accepts notice on behalf of the respondent(s)-University and he states that the respondents have no objection in case the prayer of the petitioner for deciding the legal notice dated 09.09.2019 (P-7) in a time bound manner is accepted.

In view of the above, 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 legal notice dated 09.09.2019 (Annexure P-7) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 16, 2019
naresh.k

Whether reasoned/speaking?
Whether reportable?

Yes
No