

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 33413 of 2019

Date of decision : 18.11.2019

Subash Chander

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Harsimran Singh, Advocate for
Mr. Abhishek Jhamb, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The claim of the petitioner in the present writ petition is that he is entitled for interest on the delayed release of the pensionary benefits keeping in view the law laid down by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468.***

Learned counsel for the petitioner argues that as per ***A.S. Randhawa's case (supra)***, the retiral benefits of an employee are to be released within a period of two months, failing which employee becomes entitled for compensation by the grant of interest.

Learned counsel states that in the present case, though the petitioner retired on 28.02.2019 but his pensionary benefits such as GPF, leave encashment and DCRG were released only in August/September,

2019 and, therefore, as the payments were released after a period of two

months, which has been held to be reasonable period by the Full Bench of this Court in *A.S. Randhawa's case (supra)*, petitioner becomes entitled for the grant of interest. Learned counsel prays that appropriate direction be issued to the respondents to release interest on the delayed payments.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has submitted representations dated 05.09.2019 (Annexure P-1) and 24.09.2019 (Annexure P-2) to the respondents, which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 2 to decide the said representations.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondent No. 2 is directed to decide the representations dated 05.09.2019 (Annexure P-1) and 24.09.2019 (Annexure P-2) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

November 18, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*