

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-33537 of 2019

Date of decision: 19.11.2019

Sukhminder Singh

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Munish Bansal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

Learned counsel for the petitioners states that on attaining the age of superannuation the petitioner retired from service on 30.04.2019 but his pensionary benefits were released in the month of October 2019. Counsel for the petitioner argues that as per the settled principle of law settled by Full Bench of this Court in **A.S. Randhawa vs. State of Punjab 1997(3) S.C.T. 468** retiral benefits are to be released within a reasonable time and the reasonable time fixed by the Full Bench is two months after the retirement and in case benefits are not released within the reasonable time, an employee needs to be compensated by way of grant of interest. Counsel further argues that in the present case the delay in releasing the retiral benefits of the petitioner is of six months, therefore the petitioner is entitled for interest keeping in view the settled principle of law in **A.S. Randhawa's case (supra)**.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has served the respondents with legal notice dated 18.10.2019 (Annexure P/4), 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.

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 legal notice dated 18.10.2019 (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. 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 next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

19.11.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |