

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(130)

CWP No. 35160 of 2019

Date of Decision : 03.12.2019

Balraj Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajesh Kumar Girdhar, 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 30.11.2017 but the pensionary benefits were released to him starting from February, 2018 onwards till April, 2019. Learned counsel for the petitioner argues that the respondents were under obligation to release his pensionary benefits within a reasonable time after his retirement and the reasonable time as per the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*** is two months after retirement, failing which, employee becomes entitled for compensation by the grant of interest. The prayer of the petitioner is that as the pensionary benefits were released to him after a reasonable time, he is entitled for interest and a direction be issued to the respondents to grant the interest to him on delayed release of

his retiral benefits.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 02.08.2019 (Annexure P-6), 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 respondent No. 2 to decide the said legal notice.

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 legal notice dated 02.08.2019 (Annexure P-6) 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.

Writ petition stands disposed of accordingly.

December 03, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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