

**109 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No.36131 of 2019 (O&M)
Date of decision : December 13, 2019**

Pawan Kumar Singla

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Hemender Goswami, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the petitioner has retired from service on 31.03.2018 after availing two years extension. Learned counsel for the petitioner argues that though, the petitioner retired from service on 31.03.2018 but the retiral benefits were released after inordinate delay, for which the petitioner needs to be compensated by the grant of interest.

Learned counsel for the petitioner argues that Full Bench of this Court in case of *“A.S. Randhawa vs State of Punjab”, 1997(3) SCT 468*, has held that the retiral benefits are to be released within a reasonable time after retirement and the reasonable time fixed by the Full Bench is two months after the retirement, in case there is no impediment and in case of failure, the employee is entitled to be compensated by grant of interest and therefore, as the delay in releasing the pensionary benefit of the petitioner is more than two months as there was no impediment, the petitioner is entitled to be compensated by the grant of interest.

Learned counsel for the petitioner prays that a direction be issued to the respondents to calculate the interest on the delayed payment of the pensionary benefits and the same be paid to the petitioner forthwith.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served a legal notice dated 30.08.2019 (Annexure P-7) upon the respondents, 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 same by passing an appropriate speaking order in accordance with law.

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 30.08.2019 (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 next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

December 13, 2019

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Whether speaking / reasoned

Yes

Whether Reportable:

No