

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.36631 of 2019

DATE OF DECISION:18.12.2019

Charanjit Singh

... Petitioner

Versus

The Punjab State Power Corporation Ltd. and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: M. J.S. Jaidka, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the petitioner is claiming that though the petitioner retired from service on attaining the age of superannuation on 31.01.2018 but his pensionary benefits were withheld on the ground that there was a chargesheet pending against him.

Counsel argues that the said chargesheet was decided on 27.04.2018 and punishment was imposed and, thereafter, there was no impediment and the respondents were under obligation to release the pensionary benefits within a period of two months thereafter but the pensionary benefits of the petitioner were released starting from September, 2018 and, therefore, the petitioner is entitled for interest as after the impediment of the chargesheet no longer existed, there was an inordinate delay in the release of the pensionary benefits, which is attributable to the respondents.

Counsel for the petitioner further argues that keeping in

view the judgment of the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468*, the petitioner is entitled for interest in case the pensionary benefits are not released within a period of two months after retirement in case there is no impediment. In the present case, impediment was removed in April, 2018, therefore, the petitioner was entitled for the release of the pensionary benefits by 30.06.2018.

Counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has submitted the respondents with a representation dated 10.07.2019 (Annexure P-3), 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 representation dated 10.07.2019 (Annexure P-3) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 10.07.2019 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 10.07.2019 (Annexure P-3) within a period of three months from the receipt of certified copy of this order.

December 18, 2019

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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No