

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.36661 of 2019 (O&M)
Date of decision : December 18, 2019

Sohan Lal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amit Rao, Advocate for
Mr. Anurag Goyal, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Grievance, which is being raised in the present writ petition is for grant of interest on the delayed release of the pensionary benefits.

Learned counsel for the petitioner submits that the petitioner has retired from service on attaining the age of superannuation on 31.03.2019 but his pensionary benefits were released by the respondents starting from September, 2019 onwards and there is a delay of more than two months in the release of the pensionary benefits. Learned counsel for the petitioner further submits that keeping in view the settled principle of law, settled by the Full Bench of this Court in case of “*A.S. Randhawa vs State of Punjab*”, 1997(3) SCT 468, the petitioner is entitled for interest on the delayed release of pensionary benefits. Prayer of the petitioner is for issuance of a direction to the respondents to grant the interest to the petitioner on the delayed release of the pensionary benefits as the delay is totally attributed to the respondents.

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 26.09.2019 (Annexure P-4) upon the respondents, which is still pending consideration with respondent No.2 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 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, respondent No.2 is directed to decide the legal notice dated 26.09.2019 (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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

December 18, 2019

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No