

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CWP No. 736 of 2020

Date of Decision : 14.01.2020

Ranjit Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajan Singh Dadwal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that though petitioner retired from service on attaining the age of superannuation on 30.11.2017 but his pensionary benefits were released starting from March, 2018 till March, 2019. Learned counsel for the petitioner argues that there was no impediment in the release of the pensionary benefits of the petitioner and, therefore, keeping in view the law laid down by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468***, in case the retiral benefits are not released within a period of two months from the date of retirement, employee becomes entitled for the grant of interest on the delayed release of the pensionary benefits and, therefore, in the present case as the delay in the release of the pensionary benefits is more than two months and that too without any valid justification, petitioner is

entitled for the grant of interest and hence, a direction be issued to the respondents to grant the said benefit to the petitioner.

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 20.09.2019 (Annexure P-2), 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. 3 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. 3 is directed to decide the legal notice dated 20.09.2019 (Annexure P-2) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

January 14, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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