

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(134)

CWP No. 872 of 2020

Date of Decision : 15.01.2020

Paramjit Singh

....Petitioner

Versus

Punjab Water Supply & Sewerage Board

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Dhiraj Chawla, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that after the charge-sheet, which was pending at the time of retirement of the petitioner, was taken to the logical end and punishment of recovery was imposed upon the petitioner vide order dated 16.02.2017 (Annexure P-1), there remained no other impediment for the release of the withheld pensionary benefits but still, the same were only released in July/September, 2019, which is more than two years after the proceedings had already culminated, therefore, petitioner is entitled for interest on the payment of leave encashment, gratuity as well as CPF from February, 2017 onwards.

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 04.11.2019 (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 the respondents 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, the respondents are directed to decide the legal notice dated 04.11.2019 (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.

It is made clear that the claim in respect of which legal notice has been served for the grant of interest, will be treated to have been made w.e.f. February, 2017 only and not from the date when petitioner retired.

Writ petition stands disposed of accordingly.

January 15, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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