

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

**CWP No.1878 of 2020 (O&M)
Date of decision : January 24, 2020**

Lacchman Singh

.. Petitioner

Versus

The Punjab State Power Corporation Limited and others ..Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. J.S. Jaidka, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the petitioner had retired from service of the respondent-Corporation on attaining the age of superannuation on 31.12.2017 but the release of the pensionary benefits including the pension and commutation of pension was delayed by the respondents.

Learned counsel for the petitioner argues that commutation of pension was released to the petitioner on 01.07.2019 i.e. approximately after 1year and 7 months of the retirement and the gratuity of the petitioner was also released to him in July, 2019 whereas leave encashment was released to the petitioner in January, 2019.

Learned counsel for the petitioner further argues that keeping in view the law laid down by the Full Bench of this Court in case of “**A.S. Randhawa vs State of Punjab**”, 1997(3) SCT 468, an employee is entitled for the release of the pensionary benefits within a reasonable time after his retirement and the reasonable time fixed by the Full Bench is two months after the retirement, in case there is no impediment.

Learned counsel for the petitioner further argues that in the present case, despite the fact that there is no impediment in the release of the pensionary benefits, the same were released after unreasonable delay, due to which the petitioner is entitled for interest on the delayed release of pensionary benefits. Prayer of the petitioner is for the issuance of a direction to the respondents to release the interest on the delayed release of pensionary benefits to compensate the petitioner for the delay.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has submitted with the respondents a representation dated 10.08.2019 (Annexure P-6), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, if a time bound direction is issued to respondent No.1 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.1 is directed to decide the representation dated 10.08.2019 (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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 24, 2020

sarita

Whether speaking / reasoned Yes

Whether Reportable: No