

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(120)

CWP No. 2009 of 2020

Date of Decision : 27.01.2020

Harnek Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amrik Singh, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Counsel for the petitioner submits that the petitioner retired from service as Sub Divisional Officer in Irrigation Department on 31.12.2018 but the benefits for which the petitioner is entitled to after the retirement, were only released to the petitioner on 02.08.2019.

Counsel for the petitioner argues that keeping in view the law laid down by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468***, the retiral benefits of an employee are to be released within a reasonable time after the retirement, in case there is no impediment. The reasonable time fixed by this Court is two months after the retirement and, therefore, as in the present case, there was no impediment in the release of the pensionary benefits but still the respondents have taken more than seven months to release the pensionary benefits, the petitioner has become entitled for the grant of interest on the payment, which has been

released to the petitioner in July and August, 2019.

Counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 15.11.2019 (Annexure P-4), 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.1 to decide the said legal notice dated 15.11.2019 (Annexure P-4) 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 legal notice dated 15.11.2019 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.1 to decide the legal notice dated 15.11.2019 (Annexure P-4) within a period of three months from the receipt of certified copy of this order.

January 27, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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