

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

CWP No.4387 of 2020

Date of decision: 17.02.2020

R.C. Pahwa

....Petitioner

Versus

State of Haryana and others

...Respondents

Coram: Hon'ble Mr. Justice B.S. Walia

Present: Mr. Tarun Dhingra, Advocate for the petitioner.

B.S. Walia, J. (Oral)

Prayer in the petition under Article 226/227 of the Constitution of India is for the issuance of a writ of Mandamus for directing respondent No.2 to grant interest @ 12% per annum on the retiral benefits i.e leave encashment, gratuity and arrears of pay calculated after refixing of pension with effect from the date of retirement till the date of payment in view of the decision of Full Bench of this Court in **R.S. Randhawa vs. State of Punjab and others** decided on 16.05.1997 as well as decision of Hon'ble the Supreme Court in **D.D. Tewari (D) through LR's versus UHBVNL** (Annexure P-16), **Punjab State Civil Supplied Corporation Limited and others versus Pyare Lal** (Annexure P-11) and Pawan Kumar versus The Registrar, Punjab State Cooperative Societies and others (Annexure P-12) decided on 02.11.2018.

Learned counsel contends that the petitioner has submitted number of representations last of which is Annexure P-8 dated 24.9.2019 but the same has not been considered and decided till date and that in the circumstances, the petitioner would be satisfied if the writ petition is

disposed of by directing respondent No.2 to consider and decide the claim made in the representation Annexure P-8 dated 24.09.2019 in accordance with law in a time bound manner.

Notice of motion to respondent No.2 only.

Mr. Harish Rathee, Sr.DAG, Haryana, who is present in Court, accepts notice on behalf of respondent No.2, waives service and states that he has no objection to the limited prayer of the petitioner.

3. Without commenting upon the merits of the controversy or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by directing respondent No.2 to consider and decide the representation Annexure P-8 dated 24.09.2019 in accordance with law after taking into account all aspects of the matter including the decisions referred to above, in case the same are applicable, as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of this order.

February 17, 2020
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No