

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

**CWP No.4961 of 2020 (O&M)
Date of decision : February 25, 2020**

Rajinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ish Puneet Singh, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that though the petitioner had retired from service on attaining the age of superannuation on 31.08.2013 but the retiral benefits of the petitioner were not released for which she had to approach this Court by way of filing CWP No.4818 of 2017, which was disposed of by this Court on 28.04.2017 directing respondent No.2 to decide the legal notice dated 28.06.2016.

Learned counsel for the petitioner further states that in pursuance to the direction given by this Court, the respondents released the pensionary benefits to the petitioner but as the said benefits were released after undue delay, the petitioner is entitled for the interest on the delayed payments, keeping in view the law laid down by the Full Bench of this Court in case of “*A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*”. The prayer of the petitioner is for directing the respondents to grant interest on the delayed release of the pensionary benefits to the petitioner.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served a legal notice

dated 20.11.2019 (Annexure P-4) to respondent No.2, which is still pending consideration and the petitioner will be satisfied, at this stage, if a time bound direction is issued to respondent No.2 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 on the claim being made by the petitioner, respondent No.2 is directed to decide the legal notice dated 20.11.2019 (Annexure P-4), 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 her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 25, 2020

sarita

Whether speaking / reasoned Yes

Whether Reportable: No