

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5652 of 2020

Date of decision: 02.03.2020

Harpreet Kaur

.... 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.

Learned counsel for the petitioner states that on attaining the age of superannuation the petitioner retired on 31.10.2017 but, the release of his pensionary benefits was delayed by the respondents without there being any valid justification. Learned counsel for the petitioner argues that as per the settled principle of law settled by the Full Bench of this Court in **A.S. Randhawa vs. State of Punjab 1997(3) S.C.T. 468**, if the retiral benefits of an employee are not released within a reasonable time of two months, the employee needs to be compensated by way of grant of interest for the said delay.

Learned counsel for the petitioner further argues that leave encashment of the petitioner was released on 23.3.2018 and Provident Fund was released on 07.05.2019, therefore, the petitioner is entitled for the grant of interest on the said delayed payment of retiral benefits. Prayer of the petitioner is for issuance of a direction to the respondents to grant the

interest on the said delayed release of pensionary benefits.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served a legal notice dated 23.01.2020 (Annexure P/2) with the respondents and he will be satisfied, at this stage, in case, a time bound direction is issued to respondent No.2 to decide said legal notice.

In view of the above, without going into the merits of the claim raised by the petitioner, the present writ petition is disposed of with a direction to respondent No.2 to pass an appropriate speaking order on the legal notice dated 23.01.2020 (Annexure P/2) within a period of three months from the date of receipt of certified copy of this order. In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the said representation, the same should also be paid to her within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

02.03.2020
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1. Whether speaking/non-speaking?	Yes/No
2. Whether reportable?	Yes/No