

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6201 of 2020

Date of decision: 05.03.2020

Rajbir Singh

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arora, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that though, the benefit of the arrears for which the petitioner became entitled after the charge sheet pending against him was dropped and the suspension period was treated as duty period is extended to him by passing order dated 23.09.2014 but, actual benefits have not been released to the petitioner so far by the respondents without any valid justification.

Learned counsel for the petitioner further argues that even the benefits, for which the petitioner is entitled and released were delayed by the respondents, therefore, the petitioner is entitled for the grant of interest on the said delayed release of payments, keeping in view 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.**

Prayer of the petitioner is for issuance of a direction to the respondents to release all the pensionary benefits, for which he is entitled

after the proceedings, which were pending against him at the time of his retirement were dropped along with arrears and interest.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has submitted representation dated 03.12.2019 (Annexure P/12) with the respondents, which is still pending consideration with them and he will be satisfied, at this stage, in case, a time bound direction is issued to respondent No.3 to decide the said representation.

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.3 is directed to decide the representation dated 03.12.2019 (Annexure P/12) by passing a speaking order within a period of three months from the date of receipt of 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 him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

05.03.2020
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1. Whether speaking/non-speaking?	Yes/No
2. Whether reportable?	Yes/No