

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

118)

CWP no.18217 of 2020

Date of Decision: 02.11.2020

Ram Sarup

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Aman Dhir, Advocate, for the petitioner.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Article 226/227 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of mandamus, directing the respondents to prepare the pension case of the petitioner and to fix the pension of the petitioner at the earliest and to grant interest @ 18 per annum for the delayed payment till its realization, in view of the judgment passed by a Full Bench of this court in **A.S. Randhawa v. State of Punjab and others**, 1997 (3) SCT 468.

In respect of his grievance, with the petitioner having retired on April 30, 2020, learned counsel submits that in fact a legal notice was issued in advance on February 03, 2020 (copy Annexure P-2), despite which his pension has not been released to him, even 6 months after his retirement.

On a specific query, he submits that there is no chargesheet pending against the petitioner.

Consequently, this petition is disposed of with a direction to the competent authority amongst the respondents to take a decision on the legal notice issued by the petitioner within a period of two months from the date of receipt of a certified copy of this order, by passing a detailed speaking order.

If pension is not withheld on account of any chargesheet etc. issued to the petitioner, and is due to him, it shall be released to him within a period of one month thereafter, along with all statutory interest accruing thereupon from 01.05.2020 till the date of its realization, and if there is no statutory interest provided in any statute, then interest @ 6 % per annum shall be paid on the arrears of the pension.

02.11.2020
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No