

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CWP No. 249 of 2021

Date of Decision : 29.01.2021

Anil Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance, which is being raised by the petitioner is that the retiral benefits, which are to be released within a reasonable time of two months after the retirement, have been released to the petitioner much after the said reasonable time of two months and, therefore, petitioner is entitled for interest keeping in view of the judgment of the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468.***

Learned counsel for the petitioner submits that though, the payments of retiral benefits have been released to the petitioner but the respondents have not at all dealt with the prayer of the petitioner for the grant of interest on the said delayed payments. Learned counsel for the

petitioner submits that after the release of the payments, the petitioner has already submitted a representation dated 27.08.2020 (Annexure P-10) to the respondents seeking interest on the delayed payment keeping in view the settled principle of law in ***A.S. Randhawa's case (supra)***. The prayer of the petitioner is for issuance of a direction to the respondents to release the interest for which the petitioner is entitled on the delayed release of the pensionary benefits.

Learned counsel for the petitioner further submits that as the petitioner has already raised the said grievance before the authorities vide his representation dated 27.08.2020 (Annexure P-10), petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 3 to decide the same by passing an appropriate speaking order keeping in view the settled principle of law in ***A.S. Randhawa's case (supra)***.

Notice of motion.

Ms. Akshita Chauhan, learned Assistant Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondents. Learned counsel for the respondents states that the respondents have no objection in deciding the representation dated 27.08.2020 (Annexure P-10) filed by the petitioner in a time bound manner by passing an appropriate speaking order.

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 27.08.2020

(Annexure P-10) by passing a speaking order within a period of three months from the receipt of copy of this order.

Present writ petition stands disposed of.

January 29, 2021
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No