

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

130

CWP-7582-2022

Date of Decision :08.04.2022

Kuldeep Kumar

..Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gagneshwar Walia, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though, the petitioner has already retired from service on attaining the age of superannuation on 31.12.2020 but, the actual release of pensionary benefits were made to the petitioner in July, 2021, which is beyond the period of two months from retirement, which period has been held to be a reasonable period for releasing the pensionary benefits to an employee by the Full Bench of this Court in **A. S. Randhawa vs. State of Punjab 1997(3) SCT 468** and, therefore, as there was no justifiable reason with the respondents to withhold the pensionary benefits of the petitioner beyond two months, the petitioner is entitled for the grant of interest on the said delayed payments.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving legal notice dated 11.09.2021 (Annexure P/4), which is still pending consideration with the respondents and the petitioner will be satisfied in

case a time bound direction be issued to the respondent No.3 to decide the said legal notice.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who is present in Court, accepts notice on behalf of respondent-State and raises no objection in deciding the legal notice dated 11.09.2021 (Annexure P/4) 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 in legal notice dated 11.09.2021 (Annexure P/4), respondent No.3 is directed to decide the legal notice dated 11.09.2021 (Annexure P/4) by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case after the decision, it is found that petitioner is entitled for any monetary benefits, the same will be released to him within a period of next four weeks.

Present writ petition stands disposed of.

April 08, 2022

aarti

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No