

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

112

CWP No.7121 of 2020

Date of decision : 15.09.2022

Santosh Kumar

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Ranjit Singh Sidhu, Advocate for the petitioner.

Ms. Ambika Bedi, AAG Punjab for the respondents.

VIKAS SURI, J. (Oral)

The short question arising in the present petition filed under Articles 226/227 of the Constitution of India is regarding interest on delayed payment of retiral dues that were not promptly disbursed to the petitioner on his retirement. The claim is founded on the legal proposition settled by the Full Bench judgment of this Court in *A.S. Randhawa vs. State of Punjab and others, 1997 (3) SCT 468 (F.B.)*, which has been consistently followed, as also by a coordinate Bench in *Darshan Singh vs. State of Punjab and others, 2017 (1) SCT 346*.

Learned counsel submits that for the relief prayed in the present petition, a justice demand notice dated 09.09.2019 (Annexure P-2) was served and a copy thereof was also sent to the second respondent i.e. Controlling Authority on 11.09.2019, which is still pending consideration with the authorities.

Learned counsel submits that the petitioner would be satisfied, at this stage, in case the said justice demand notice is considered and decided by passing a speaking order, within some stipulated time.

Ms. Ambika Bedi, AAG Punjab, accepts notice on behalf of the respondents and waives service. She does not raise any serious objection to the restricted prayer seeking a decision on the justice demand notice in a time bound manner.

Keeping in view the above, the limited prayer made as well as the peculiar facts and circumstances of the case, without expressing any opinion or going into the merits of the case or the claim being made by the petitioner in the present petition or in the justice demand notice, the competent authority is directed to look into the grievance raised in the justice demand notice dated 09.09.2019 (Annexure P-2) and take a decision thereon in accordance with law, by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be also extended to him within a period of four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURJ)
JUDGE

September 15, 2022
Ajay

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No