

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

CWP-8181-2022

Date of Decision: 22.04.2022

Krishan Lal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sushil Saini, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that even though the petitioner in the present case was granted the benefit of extension in service by the respondent-Department, but the same was cut short keeping in view the ill health of the petitioner and he was ultimately relieved/retired on 31.03.2019, but still his pensionary benefits were released to him after a delay of more than two months from the date of his retirement and that too without there being any impediment in releasing the said benefits to the petitioner, and therefore, the petitioner is entitled for the grant of interest on the said delayed release of payments to him keeping in view the settled principle of law as laid down by the Full Bench of this Court while passing judgment in “A.S. Randhawa Vs. State of Punjab and others”, 1997(3)

pensionary benefits within a period of two months from superannuation, in case there is no impediment, becomes entitled for the grant of interest for the delay in releasing of the pensionary benefits, and therefore, the respondents be directed to release all the pensionary benefits of the petitioner along with interest.

Learned counsel for the petitioner further submits that the petitioner has also raised the same grievance before the respondents by serving legal notice dated 06.12.2021 (Annexure P-1), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.1 to decide the said legal notice dated 06.12.2021, by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 06.12.2021 (Annexure P-1) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 06.12.2021, this petition is disposed of with a direction to the respondent No.1 to pass an appropriate speaking order on the legal notice dated 06.12.2021 (Annexure P-1), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order. In case, the petitioner is found entitled for any benefit, the same be also released in his favour within a period of four

weeks thereafter.

22.04.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

- 1. Whether speaking/reasoned : Yes
- 2. Whether reportable : No