

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107

CWP-17152-2021

Date of Decision :21.04.2022

Gurdev Singh

...Petitioner

Versus

Punjab State Electricity Board and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arihant Goyal, Advocate for the petitioner.

Mr. Sylvester, Advocate for Mr. Alok Mittal, Advocate
for the respondents.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present case, though, the petitioner retired from service on 30.04.2002 but, his pensionary benefits were released to him by the respondent-department after an inordinate delay due to which the petitioner has become entitled for the grant of interest on the said delayed release of payments, which benefit has not been granted to him while releasing his pensionary benefits and that too without any valid justification.

Learned counsel for the petitioner submits that keeping in view the fact and circumstances of this case coupled with the settled principle of law settled by the Full Bench of this Court in **A.S. Randhawa vs. State of Punjab and others, 1997(3) SCT, 468** as there is inordinate delay in the release of the pensionary benefits of the petitioner, the petitioner is entitled for the grant of interest on the said delayed release of payments.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 16.02.2021 (Annexure P/10), which is still pending consideration with the respondents and the petitioner will be satisfied at this stage, in case a time bound direction is issued to the respondent No.3 to decide the said legal notice.

Notice of motion.

Mr. Sylvester, Advocate for Mr. Alok Mittal, Advocate, who is present in Court accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 16.02.2021 (Annexure P/10) in a time bound manner by passing an appropriate speaking order.

In view of the above, without going into the merits of the case or the claim being raised by the petitioner in the legal notice dated 16.02.2021 (Annexure P/10), respondent No.3 is directed to decide legal notice dated 16.02.2021 (Annexure P/10) submitted by the petitioner by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order. In case, after the decision of the said legal notice, the petitioner is found entitled for any relief, the same will be extended to her within a period of next four weeks.

Present writ petition stands disposed of.

April 21, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No