

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(129)

CWP No. 10222 of 2022

Date of Decision : 13.05.2022

Mahipal

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashutosh Kaushik, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present petition, petitioner has retired from service on attaining the age of superannuation on 31.03.2021 but despite expiry of more than one year, his pensionary benefits have not been released without there being any impediment. Learned counsel for the petitioner submits that as per the judgment of the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468**, the pensionary benefits of an employee are to be released within a period of two months of the retirement, in case there is no impediment, failing which the employee is entitled for the grant of interest. Hence, respondents are under obligation to release the pensionary benefits of the petitioner along with interest.

Learned counsel for the petitioner submits that petitioner has

already raised the said grievance in the representation dated 12.11.2021 (Annexure P-4), which is still pending consideration with the respondents and petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 1 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Raman Kumar Sharma, Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-UHBVNL and raises no objection in deciding the representation dated 12.11.2021 (Annexure P-4) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation, respondent No. 1 is directed to decide the representation dated 12.11.2021 (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 of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

May 13, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	√ Yes/No
<i>Whether reportable?</i>	√ Yes/No