

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CWP-12806-2022

Date of Decision :02.06.2022

Tarsem Lal

..Petitioner

Versus

Pepsu Road Transport Corporation

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though, the petitioner retired from service on attaining the age of superannuation on 31.12.2020 but, his pensionary benefits have been released by the respondent after the delay of reasonable period of two months, which is contrary to 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*** and, therefore, the petitioner is entitled for the grant of interest on the said delayed release of the pensionary benefits.

Learned counsel for the petitioner further argues that while making the payments approximately Rs.1,00,000/- was recovered by the respondent from the pensionary benefits of the petitioner and that too without any valid justification, which action of the respondent is contrary to the settled principle of law settled by the Hon'ble Supreme Court of India in

State of Punjab and others Vs. Rafiq Masih (White Washer) etc.,

2015(1) S.C.T., 195 and, therefore, the respondent is liable to be directed to not only grant the interest on the delayed release of pensionary benefits of the petitioner but, also to refund the amount recovered from the petitioner.

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 28.01.2022 (Annexure P/4), which is still pending consideration with the respondent and the petitioner will be satisfied in case a time bound direction be issued to the respondent to decide the said legal notice.

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 his legal notice, respondent is directed to decide the legal notice dated 28.01.2022 (Annexure P/4) by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

June 02, 2022

aarti

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No