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

CWP-14075-2022

Date of Decision: 06.07.2022

Shashi Bala

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Virinder Kumar Shukla, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that though the petitioner got retired from the services of the respondent-Department on 30.11.2021, but the pensionary benefits have not been released to the petitioner so far by the respondent-Department and that too without any valid justification.

Learned counsel for the petitioner submits that keeping in view the settled principle of law laid down by the Full Bench of this Court while passing judgment in “**A.S. Randhawa Vs. State of Punjab and others**”, **1997(3) SCT 468**, an employee who has not been released the pensionary benefits within a period of two months from superannuation, in case there is no impediment in doing so, becomes entitled for the grant of interest for the delay in releasing of the pensionary benefits, the petitioner is entitled for the grant of pensionary benefits forthwith along with interest by the respondent-Department.

Learned counsel for the petitioner further submits that the same

grievance has also been raised by the petitioner before the respondents by serving demand notice dated 13.05.2022 (Annexure P-3), 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.2 to decide the demand notice dated 13.05.2022, by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Ms. Anju Sharma Kaushik, DAG, Punjab, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the demand notice dated 13.05.2022 (Annexure P-3) 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 demand notice dated 13.05.2022 (Annexure P-3), this petition is disposed of with a direction to the respondent No.2 to pass an appropriate speaking order on the demand notice dated 13.05.2022 (Annexure P-3), 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 her favour within a period of four weeks thereafter.

06.07.2022*Apurva***(HARSIMRAN SINGH SETHI)
JUDGE**

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