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

CWP-16864-2020

Date of Decision: 09.05.2022

Vijay Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Randeep Tanwar, Advocate, for
Mr. Padamkant Dwivedi, Advocate,
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The present petition has been filed with a prayer that the respondents be directed to release the retiral benefits of the petitioner, for which he became entitled for, upon his retirement on 31.01.2020.

Learned counsel for the petitioner submits that after filing of the present petition, though the retiral benefits of the petitioner have been released to him by the respondents, but as there is a delay in releasing the said benefits, therefore, the petitioner is entitled for the grant of interest on the delayed release of retiral benefits to him 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**, according to which, an employee who has not been released the 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, hence, the petitioner may

kindly be given liberty to approach the respondents claiming the interest on the delayed release of retiral benefits to him.

Learned State counsel submits that in case any such representation is filed by the petitioner with the respondents, claiming interest on the delayed release of retiral benefits to him, the same will be dealt with in accordance with law by the authorities concerned and an appropriate speaking order will be passed within a period of eight weeks from the date of receipt of such representation and after the decision, in case the petitioner is found entitled for the grant of any benefit, the same will also be released in his favour within a period of four weeks thereafter.

At this stage, learned counsel for the petitioner submits that keeping in view the submissions of learned State counsel, as recorded hereinbefore, no further grievance of the petitioner remains in the present petition at this stage, and therefore, the same may kindly be disposed of as having been not pressed any further at this stage with the liberty as prayed for.

Ordered accordingly.

09.05.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

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