

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(213)

CWP No. 24675 of 2017
Date of Decision : 29.04.2022

Bhupinder Singh

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mohit Jaggi, Advocate for the petitioner.

Ms. Kanica Sachdeva, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

In the present case, the prayer of the petitioner is for the grant of interest on the delayed release of the pensionary benefits, which benefit has been declined by the respondents by the impugned order dated 08.03.2017 (Annexure P-3).

Learned counsel for the petitioner argues that the petitioner retired on attaining the age of superannuation on 30.06.2016, whereas the pensionary benefits were released to the petitioner starting from 04.11.2016 till 26.12.2016 and, therefore, as the delay is beyond two months of the retirement, the petitioner is entitled for the grant of interest keeping in view the judgment of Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468.**

Upon notice of motion, the respondents have filed the reply wherein, they have stated that the delay, which has occurred, is attributable

months prior to his retirement and even the pension papers filed were not complete as he did not submit the necessary documents including the photographs, which had led to the further delay in releasing the pensionary benefits.

There is no replication to the said statement.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

No doubt, the Full Bench of this Court in *A.S. Randhawa's case (supra)* has held that the pensionary benefits are to be released to the employee within a period of two months of the retirement in case, there is no impediment and failure to do so, will entitle the employee for the grant of interest but in the present case, the delay which has occurred, is attributable to the petitioner. It is a conceded fact that petitioner did not fill up the form for the release of the pensionary benefits six months prior to the date of retirement as envisaged under the law. Even the papers thereafter filed by the petitioner were not complete, which had lead to the further delay in releasing the pensionary benefits. That being so, the delay is not attributable to the respondents so as to make the petitioner entitled for the grant of interest on the delayed release of the pensionary benefits.

Keeping in view the above, no ground is made out to grant the petitioner the interest on the delayed release of the pensionary benefits.

Dismissed.

April 29, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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