

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(173)

CWP-19901-2022

Date of Decision : September 05, 2022

Rajesh Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikram Sheoran, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the prayer of the petitioner is that the petitioner retired on 30.11.2021 on attaining the age of superannuation but his pensionary benefits have not been released so far and that too without any valid justification.

Learned counsel for the petitioner submits that as per 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*, an employee is entitled for the release of the pensionary benefits within a period of two months of the retirement in case there is no impediment, failing which employee is entitled for the grant of interest, hence, the petitioner is entitled for the release of pensionary benefits forthwith along with interest.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by filing a representation dated 13.01.2022 (Annexure P-2), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.4 to decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of respondents No. 1 to 3 and Mr. Harneet Singh Oberoi, Advocate, who is also present in the Court, accepts notice on behalf of respondent No.4 and they raise no objection in deciding the representation dated 13.01.2022 (Annexure P-2) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 13.01.2022 (Annexure P-2), the present writ petition is disposed of with a direction to respondent No.4 to decide the representation dated 13.01.2022 (Annexure P-2) within a period of eight weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for the monetary benefits after the decision of the representation, the same should also be paid to the petitioner within four weeks thereafter.

September 05, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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