

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

115

CWP No.20724 of 2022

Date of Decision: 13.09.2022

Parshotam Dass

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Dharam Bir Bhargav, Advocate, for the petitioner.
Ms. Ambika Bedi, AAG, Punjab.

Vikas Suri, J. (Oral)

The petitioner through this petition under Article 226/227 of the Constitution of India seeks issuance of a writ in the nature of mandamus, directing the respondents to pay interest @ 18% per annum on the retiral benefits that were paid belatedly.

It is averred that the petitioner was appointed as Pharmacist on 19.11.1983 and retired on 28.02.2021 as Senior Pharmacy Officer from Civil Hospital, Khanna, District Ludhiana.

The terminal benefits like GPF, Gratuity, GIS etc. were not promptly paid on retirement and the same were released after much delay in November 2021.

Reliance is placed on *A.S. Randhawa vs. State of Punjab and others, 1997 (3) SCT 468 (F.B.)* and *Nirmal Singh vs. State of Punjab and others, 2019 (4) SCT 562*, to seek interest on the delayed payment of arrears.

Learned counsel would submit that the petitioner has before approaching this Court served a justice demand notice dated 07.02.2022 (Annexure P-1), which is still pending consideration with the authorities.

Learned counsel on instructions from the petitioner submits that the petitioner would be satisfied, at this stage, in case the demand notice dated 07.02.2022 (Annexure P-1) is decided in accordance with law by passing a speaking order in a time bound manner.

Notice of motion to that limited extent.

Ms. Ambika Bedi, AAG, Punjab, accepts notice on behalf of the respondents and waives service. She raises no objection to the innocuous limited prayer for consideration and decision on the demand notice dated 07.02.2022 (Annexure P-1) as per law, in a time bound manner.

Heard learned counsel for the parties.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the demand notice, respondent no.2 is directed to consider and decide the claim made in the demand notice dated 07.02.2022 (Annexure P-1), in accordance with law, by passing a speaking order within a period of 6 weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be released to him within a period of four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

September 13, 2022
vcgarg

(VIKAS SURI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No