

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(225)

CWP No. 8301 of 2018

Date of Decision : 17.03.2022

Dr. Randhir Singh Sangwan

...Petitioner

Versus

Maharshi Dayanand University, Rohtak

...Respondent

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Arnav Udai Singh, Advocate for
Mr. Sunil Kumar Nehra, Advocate for the petitioner.

Mr. A.S. Virk, Advocate for
Mr. B.L. Gupta, Advocate for the respondent.

Harsimran Singh Sethi J. (Oral)

The present petition has been filed for the release of pensionary benefits for which the petitioner is entitled for after he retired from service on attaining the age of superannuation on 31.10.2016.

After notice of motion, the respondents have filed the reply and in the reply, in para-1 of the preliminary submissions, the details of the pensionary benefits, which have been released, are given, which shows that the same were released after a delay.

Learned counsel for the respondents submits that the delay, which has occurred in the payment of the retiral benefits, is not intentional but is a procedural, especially when, at the time of retirement, the petitioner

was working on deputation with the Indira Gandhi University, Meerpur (Rewari) from where, the contribution had come late.

As, there is a dispute between the respondents to the petition and Indira Gandhi University as to who is liable for the grant of interest, especially when, one of the University, namely, Indira Gandhi University, is not party to the petition, the present petition is disposed of with liberty to the petitioner to file appropriate representation seeking the grant of interest from the respondent-Universities. In case, any representation is filed by the respondents, the Universities concerned will decide the said claim within a period of eight weeks of the receipt of the said representation and while passing the order on the representation, 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*, shall be kept in mind, according to which, an employee is entitled for the release of the pensionary benefits within a period of two months of his retirement, in case there is no impediment and failing which, the employee is entitled for the grant of interest.

Petition stands disposed of in above terms.

March 17, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No