

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

108

CWP No.25642 of 2022

Date of decision: 11.11.2022

Prem Singh

...Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Sherry K. Singla, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

The petitioner has invoked jurisdiction of this Court through this petition under Articles 226/227 of the Constitution of India with a prayer for issuance of writ in the nature of mandamus directing the respondents to release the pension as well as arrears of pension for retiral-cum-pensionary benefits along with 18 per cent interest.

At the very outset, learned counsel submits that the petitioner would be satisfied, at this stage in case the legal notice dated 20.09.2022 (Annexure P-8) is directed to be decided in a time bound manner.

It is averred in the petition that the petitioner after attaining the age of superannuation, retired on 30.04.2021 from the post of Water Carrier in the office of the fourth respondent i.e. Civil Veterinary Dispensary, Kandala, Block Kharar, District SAS Nagar (Mohali). There is no charge-sheet pending against the petitioner at the time of his retirement or even as on today. It has also been pointed out that vide letter dated 03.03.2022 (Annexure P-2), the fourth respondent was directed to transfer an amount of Rs.2,10,214/- in the concerned account so that case of the petitioner for grant of pension as well as the arrears of pension could be considered. Reliance is

placed on the law settled by the Full Bench of this Court in *A.S. Randhawa vs. State of Punjab and others, 1997(3) SCT 468*, and other judgments following the said dictum.

Notice of motion to that limited extent.

Ms. Ambika Bedi, AAG Punjab accepts notice on behalf of the respondents and waives service. She submits that the respondent No.2/Competent Authority will look into the matter and will take a decision on the legal notice of the petitioner in accordance with law, in a time bound manner.

Heard learned counsel for the parties.

Without expressing any opinion or going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice, respondent No.2/Competent Authority is directed to consider and decide the claim made in the legal notice dated 20.09.2022 (Annexure P-8), as well as the claim for interest on delayed payment of arrears, in accordance with law, by passing a speaking order within a period of eight 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 paid to him within a period of six weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURJ)
JUDGE

November 11, 2022

Ajay

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No