

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

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CWP No.25885 of 2022

Date of decision: 15.11.2022

Ravinder Pal Garg

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Dharam Bir Bhargav, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

The petitioner has invoked jurisdiction by preferring this petition under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of mandamus directing the respondents to grant interest at the rate of 18% per annum on retiral dues like GPF, Gratuity, GIS etc. which were released belatedly.

It is averred that the petitioner was working as Assistant Commissioner, Food Safety Office, District Sangrur Branch, Punjab and after attaining the age of superannuation, retired on 31.03.2020. The terminal benefits were not promptly paid upon retirement. However, the same were paid after much delay, on different dates up till April, 2022. Reliance is placed on *A.S. Randhawa vs. State of Punjab and others, 1997(3) SCT 468 (FB)* and *J.S. Cheema vs. State of Haryana and others, 2014(13) RCR (Civil) 355*, to seek interest on delayed payment of arrears. It is submitted that before approaching this Court the petitioner had served a legal notice dated 09.10.2021 (Annexure P-5), seeking the same relief as has been prayed for in the present petition, which is still pending consideration

with the competent authority. He further submits that the petitioner would be satisfied, at this stage, in case the aforesaid legal notice is directed to be decided 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 submits that respondent No.3/Competent Authority will look into the matter and will take a decision on the claim made in the legal notice served on behalf of the petitioner, in accordance with law, within the stipulated time.

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.3/Competent Authority is directed to consider and decide the claim made in the legal notice dated 09.10.2021 (Annexure P-5), 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 four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

November 15, 2022
Ajay

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No