

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

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**CWP-10079-2023**

**Date of decision:18.05.2023**

Mohan Lal

... Petitioner

Vs.

State of Punjab & others

... Respondents

**CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR.**

Present: Mr. Bikramjit Singh, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

**SUKHVINDER KAUR, J.**

The instant petition has been filed under Articles 226/227 of the Constitution of India seeking a writ of mandamus directing the respondents to grant the interest @ 18% per annum on the delayed release of pensionary/retiral benefits of the petitioner i.e. from 31.12.2019 i.e. the date of his retirement till actual payment i.e. 21.11.2020 in terms of judgment of this Court in A.S. Randhawa Vs. State of Punjab, 1997 (3) SCT 468.

Learned counsel for the petitioner has contended that the petitioner has joined the services of respondent No.4-Municipal Council, Kotkapura on 31.05.1979 as Safai Sewak on regular basis. After putting in service of more than 39 years, the petitioner retired from service on 31.12.2019 on attaining the age of superannuation. He has further argued that husband of the petitioner had performed his services with due honesty and sincerity and to the entire satisfaction of his superiors and through out his service, no complaint whatsoever was filed against him. It is further contended that though the petitioner has retired long back, yet the retiral benefits under the revised pay scales are not being released to the petitioner without any

reasonable cause. So the petitioner was constrained to file CWP No.8942 of 2020 before this Court, which was disposed of vide order dated 01.07.2020 while directing the respondents to pass a speaking order by treating the writ petition as a supplementary representation. So pursuant to the directions given by this Court, the retiral benefits of the petitioner were released on 21.11.2020 after delay of almost one year. He has also submitted that the petitioner is also entitled for grant of 32 years of ACP w.e.f 01.07.2011, which has not been granted till date, due to which the petitioner has suffered heavy financial loss. He has contended that the petitioner is entitled to interest @ 18% per annum on the delayed payments of the retiral benefits. The petitioner immediately sent the legal notice dated 10.04.2022 (Annexure P-2) through his counsel to the respondents for granting the interest on the delayed payment of retiral benefits, but no action has been taken on the same till date.

In view of the aforesaid factual position and without observing anything on the merits of the case, this Court deems it appropriate to dispose of the present writ petition at this stage, with a direction to the respondent/authorities to consider and decide the legal notice dated 10.04.2022 (Annexure P-2) strictly in accordance with law by passing a speaking order within a period of two months from the date of receipt of a certified copy of this order.

In case it is found that the petitioner is entitled for the monetary benefits after the decision of the legal notice, the same shall be paid to him within a period of six weeks thereafter.

Disposed of.

**18.05.2023**  
**monika**

**( SUKHVINDER KAUR )**  
**JUDGE**

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