

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21276-2023
Date of decision: 22.09.2023

Satish GoyalPetitioner

V/s

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Sukhdeep Singh Bhinder, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to pay interest @12% per annum to the petitioner on delayed payment of pension to the petitioner.

Learned counsel for the petitioner contends that the petitioner joined as Junior Engineer in the Punjab State Tubewell Corporation on 04.09.1979 and his services were regularized on 05.05.1980. Thereafter, the petitioner was sent to the Department of Local Bodies, Government of Punjab on deputation. The petitioner retired from the Department of Local Bodies on 30.11.2015, but after his retirement the pension was not released despite several efforts and representations made by him. In the year 2018, the petitioner filed a civil writ petition No. 29483 of 2018 wherein, this Hon'ble Court was pleased to give a direction to the respondents directed the respondents to decide the representation within a period of three months but the respondents did not comply with the aforesaid order and thus, the petitioner filed **COC P No.1298-2020** wherein, the State counsel made a statement that the order dated 21.11.2018 would be complied with within a period of four weeks and thereafter, the

contempt petition was disposed of. The respondents thereafter, asked the petitioner to

deposit his share of CPF and to surrender all the benefits so enjoyed by him along with interest @12% per annum so as to enable them to release the pension of the petitioner and the petitioner deposited the same with interest. However, the arrears of pension have been released to the petitioner without any interest on the delayed payment of interest. Learned counsel further contends that the petitioner has served legal notice dated 14.05.2023(Annexure P-3) to respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 &2 and Mr. A.S. Manaise, Advocate has put in appearance in the Court, accepts notice on behalf of respondent No. 3 and they do not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 14.05.2023(Annexure P-3), respondent No. 3 is directed to decide the legal notice, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

22.09.2023
Sapna

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