

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

(234)

RSA-6859-2016

Date of Decision : January 25, 2023

Roop Lal Khanna

.. Appellant

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.K. Bagri, Advocate, for the appellant.

Ms. Vibha Tewari, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the appellant submits that two reliefs were claimed by the appellant-plaintiff in the civil suit. One was with regard to the acceptance of his request for voluntary retirement when he was on leave was bad in law and second was that even if it is assumed that the said acceptance was valid, he was entitled for the grant of interest on the delayed release of pensionary benefits.

Learned counsel for the appellant further submits that issue qua the validity of the voluntary retirement was held against the plaintiff on the basis of evidence, which has come on record whereas, issue No.4 regarding the claim of interest was decided as not pressed.

Learned counsel for the appellant further submits that even in the appeal, the said issue of the grant of interest has not been allowed in favour of the appellant-plaintiff on the ground that the said issue was never pressed at the time when the suit was being decided by the trial Court.

Learned counsel for the appellant further submits that keeping in view the said, as the appellant has already retired and has been granted the benefits for which he was entitled for keeping in view the evidence, which has come on record, the present appeal may kindly be disposed of having been not pressed any further but liberty be given to the appellant to approach the respondents in case any of his pensionary benefit is yet to be released.

Learned counsel for the respondents submits that in case any representation is filed by the appellant seeking the release of any of the pensionary benefits, for which he was entitled for, but is yet to be released, the same will be looked into and appropriate order on the same will be passed within a period of eight weeks from the receipt of the representation.

Learned counsel for the appellant submits that keeping in view the above, the present appeal may kindly be disposed of having been not pressed any further.

Ordered accordingly.

January 25, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No