

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CWP-23848-2023

Date of decision: 19.10.2023

HARINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Mohit Sadana Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant 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 release the interest amount on the delayed period of the arrears to the petitioner in view of the judgments passed by this Court in “A.S. Randhawa Vs. State of Punjab and others”.

Learned counsel for the petitioner contends that the petitioner had retired from the post of Action Recorder from the office of Market Committee, Lehra-respondent No.4 on 30.04.2016 after attaining the age of superannuation. He submits that when the petitioner got retired, he was entitled to receive the interest amount on the delayed period of the arrears but the same had not been released to him and had been withheld by the respondent-department without giving any justifiable reasons. Learned counsel further submits that petitioner has sent representations dated 21.07.2023 & 05.09.2022 (Annexures P-1 & P-2

respectively) to the respondents, which has not been taken into consideration till

date and the petitioner would be satisfied if necessary directions are given for deciding the representation dated 05.09.2022 (Annexure P-2) in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent No.1 and submits that the respondent No.2 is the competent authority to take final decision. On asking of the Court, Mr. Sanjeev Soni, Advocate, accepts notice on behalf of respondents No.2 to 4 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 representation dated 05.09.2022 (Annexure P-2), respondent No.2 is directed to decide the said representation, 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 representation, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

The petition stands disposed of.

October 19, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>