

CM-5234-CWP-2024 in/and
CWP-7216-2024

2024:PHHC:047979

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105)

CM-5234-CWP-2024 in/and
CWP-7216-2024
Date of Decision : 09.04.2024

Balwant Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

Harsimran Singh Sethi J. (Oral)

CM-5234-CWP-2024

For the reasons mentioned in the application as well as arguments addressed, leave to file and pursue this writ petition without registration as Advocate on Roll, is granted, subject to all just exceptions.

CWP-7216-2024

1. In the present petition, the grievance of the petitioner is that though he has already retired from service but some of the pensionary benefits have been withheld and that too without any valid justification even though, no proceedings were pending against the petitioner at the time when he retired from service.

2. Notice of motion.

3. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

4. Learned counsel for the respondents submits that though it is a conceded fact that no charge-sheet was pending at the time when the petitioner retired from service but the same was issued after the retirement and keeping in view the fact that the State has already passed an order on 08.04.2024 releasing the gratuity which was withheld along with all the other benefits, hence, all the benefits have already been released to the petitioner keeping in view the facts mentioned here-in-before hence, the present petition has been rendered infructuous.

5. Learned counsel for the petitioner submits that as the pensionary benefits have been released after a delay, he is entitled for grant of interest on the said delayed release of pensionary benefits, hence, liberty be given to approach the respondents for the grant of the same by filing appropriate representation and respondents be directed to decide the same in a time bound manner.

6. Learned counsel for the respondents submits that in case, any representation is received for the grant of interest on the delayed release of pensionary benefits, the same will be decided within a period of eight weeks of the receipt of the same by passing an appropriate speaking order by keeping in view the fact that on the date of retirement there was no proceeding pending against the petitioner coupled with the settled

principle of law settled by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468.**

7. Learned counsel for the petitioner submits that in view of the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty as prayed for.

8. Ordered accordingly.

April 9th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No