

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

113

CWP No.9326 of 2024 (O&M)
Date of decision: 25.04.2024

Harbhajan Lal

....Petitioner

Versus

Punjab State Power Corporation Limited and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. M.S. Rana, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to release the payment of interest on the delayed payment of retiral benefits i.e. GPF, leave encashment, pension, gratuity, etc.
2. Learned counsel for the petitioner submits that the petitioner stood retired from service on attaining the age of superannuation on 31.10.2022 and on the date of retirement, no departmental proceedings were pending against the petitioner, however, the retiral benefits of the petitioner were not released on time and the same were released after a considerable delay. In Para 5 of the writ petition, the date of payment of retiral dues have been given, which reads as under:-

Retiral Dues	Amount	Paid on
GPF	Rs.79,996/-	24.01.2023

Leave Encashment	Rs.3,10,697/-	22.05.2023
Pension	Rs.2,94,545/-	01.08.2023
Commute Pension	Rs.8,53,541/-	04.09.2023
Gratuity	Rs.4,62,986/-	10.09.2023

3. Learned counsel for the petitioner further submits that in view of the law laid down by the Full Bench of this Court in ***A.S. Randhawa Vs. State of Punjab and others***, 1997(3) SCT 468, and other judgments, which have been referred to in para 16 of the writ petition and para 7 of the legal notice dated 19.02.2023, the petitioner is entitled for grant of interest on pensionary benefits.
4. Learned counsel for the petitioner, at this stage, confines his prayer for deciding legal notice dated 19.02.2023 (Annexure P-3). He submits that the petitioner would be satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.
5. Notice of motion.
6. Ms. Navreet Dhaliwal, Advocate, accepts notice on behalf of the respondents and has no objection to the innocuous prayer made by learned counsel for the petitioner.
6. I have heard learned counsel for the parties and have gone through the record of the case.
7. Keeping in view the limited prayer addressed at the time of arguments, facts and circumstances of the case, but without expressing any opinion on the merits of the controversy, this writ petition is disposed of with a direction to respondent No.2 to expeditiously decide legal notice dated 19.02.2023 (Annexure P-3), submitted by the petitioner by passing a speaking order, preferably within a period of 03

2024:PHHC:056075

months from receipt of certified copy of this order. Benefits, if any, found due to the petitioner shall be released expeditiously preferably within a period of 04 weeks thereafter.

(NAMIT KUMAR)
JUDGE

25.04.2024
yakub

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