



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.10955 of 2024 (O&M)
Date of decision: 13.05.2024

Pardeep Kumar

....Petitioner

Versus

The Pepsu Road Transport Corporation and another

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Anamika Sheoran, 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 pay interest to the petitioner @ 12% per annum on account of delay in payment of Gratuity, Leave Encashment, etc.
2. Learned counsel for the petitioner, at the very outset, has relied upon the Full Bench judgment of this Court in *A.S. Randhawa Vs. State of Punjab and others : 1997(3) S.C.T. 468*, to submit that where there is an inordinate delay in releasing the benefits and the delay is not justifiable, then the employee will be entitled for interest.
3. She further submits that apart from the aforesaid judgment, the Coordinate Bench of this Court in *J.S. Cheema Vs. State of Haryana : 2014(13) RCR (Civil) 355*, had held that an employee will be entitled for the interest on an amount which has been retained by the respondents without any valid justification.



4. Learned counsel for the petitioner confines her prayer for deciding the representation dated 19.02.2024 (Annexure P-6) submitted by the petitioner. She further submits that at this stage, petitioner would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.
5. Notice of motion.
6. Mr. Rakesh Roy, Advocate, who is appearing through video conferencing, accepts notice on behalf of the respondents and has no objection to the innocuous prayer made by learned counsel for the petitioner.
7. I have heard learned counsel for the parties and have gone through the record of the case.
8. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.1 to decide representation dated 19.02.2024 (Annexure P-6), expeditiously submitted by the petitioner by passing a speaking order, preferably within a period of 03 months from receipt of certified copy of this order. Necessary benefits, if any, found due to the petitioner shall be released expeditiously preferably within a period of 04 weeks thereafter.

(NAMIT KUMAR)
JUDGE

13.05.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No