

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

237

CWP No. 14036-2018
Date of decision: 06.03.2024

Sewa Singh ...Petitioner
VS.

State of Punjab and ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Swapan Shorey, D.A.G, Punjab.

AMAN CHAUDHARY. J.

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is for directing the respondents to release the retiral benefits of the petitioner in the shape of gratuity, leave encashment forthwith along with interest, as the petitioner has retired on 31.07.2017.
2. Learned State counsel submits that the present case has been rendered infructuous, in view of para No. 2 of the short reply dated 15.11.2019, which read thus:-

“2. That the petitioner later on retired from the office of District Development Agency (Tarn Taran) from the post of Investigator. The Petitioner has been paid Rs. 18.00 Lac as payment of gratuity and Leave-encashment by the Respondent No. 3, Additional Deputy Commissioner (Development), Pendu Vikas Bhawan, Tarn Taran, District Tarn Taran vide letter No. ADC (D)/807 Dated 27.09.2019, and as per this letter no pending liability is left unpaid. Annexure R-2T.

4. Learned counsel has not disputed the above factual position, however, submits that the petitioner is also entitled for interest on the delayed payments.

5. In view of the above, the present petition is disposed of as having been rendered infructuous. However, a direction is given to respondents that in case the petitioner submits any application/representation seeking interest on delayed payment, the same shall be considered and decided within a period of three months from the date of its receipt and if found entitled, necessary benefit be granted forthwith.

(AMAN CHAUDHARY)
JUDGE

06.03.2024

G Arora

Whether speaking/reasoned : Yes

Whether reportable : No