



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision : 26-07-2024

.....Petitioner

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance of the petitioner is that he has retired from service on 31.01.2024 and despite the fact that more than 6 months have passed, pensionary benefits of the petitioner have not been released, which is causing prejudice to him.

The petitioner, who appears in person submits that as per 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**, the pensionary benefits are to be released within a period of 2 months of retirement in case their is no impediment in the release of the same and in case, the amount is retained by the respondents, employee will be entitled for interest. Hence, the respondents be directed to release the pensionary benefits.

The petitioner further submits that the grievance raised in the present petition has already been raised in the legal notice dated 15.03.2024, copy of which has been appended as Annexure P-4, the interest of justice will be served in case the respondents be directed to decide the representation and pass an appropriate speaking order.

Keeping in view the prayer of the petitioner for deciding the legal notice, the present petition is disposed of with directions to the respondents to decide the legal notice of the petitioners dated 15.03.2024 vide Annexure P-4, within a period of 8 weeks from the receipt of copy of the order and in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed which will be conveyed to him.

Present petition is disposed of in the abovestated terms.

Ordered accordingly.

Pending application, if any, also stand disposed of.

26-07-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO