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

CWP-28380-2017
Date of decision: 19.01.2024

Ashwani Kumar Punj ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mukesh Kumar Bhatnagar, Advocate for the petitioner.
Mr. Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release the retiral benefits of the petitioner along with interest on all the delayed payments as the petitioner retired from service on 31.10.2016 after one year extension.
2. During the course of hearing, it has been agreed between the parties that the petitioner would give a representation giving the details of the dates on which the amounts were due to him and the dates on which the amount has actually been paid and in case there is a delay of more than three months in the payment of any of the retiral benefits then the interest at the rate of 6% p.a. would be paid to the petitioner from the date when three months period lapsed upto the date of the actual payment. In case any such representation is moved, then the respondent authorities would consider the

same within a period of two months from the date of receipt of the said representation and the amount due to the petitioner, as per the authorities, would be released to the petitioner within a further period of two months thereafter.

3. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with the following directions:-

- i) The petitioner would be at liberty to give a representation giving the details of the dates on which the amounts became due to him and the dates on which the amount has actually been paid.
- ii) Within a period of two months from the date of receipt of the said representation, the respondent authorities would consider and decide the said representation and for a delay of more than three months from the date when the amount of retiral benefits was due till the date of the payment, interest at the rate of 6% per annum would be payable to the petitioner.
- iii) The respondent authorities in the said period would pass a speaking order taking into consideration the pleas raised by the petitioner in the said representation.
- iv) The amount which would be assessed which is due to the petitioner on account of the said interest would be paid to the petitioner within a further period of two months after considering and deciding the representation.

19.01.2024

Pawan

Whether speaking/reasoned:-
Whether reportable:-

(VIKAS BAHL)
JUDGE

Yes/No
Yes/No