

CWP-33355 of 2024

2024:PHHC:165053



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

CWP-33355 of 2024

Date of decision: 11.12.2024

Raj Kumar

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Nitesh Singla, Advocate,
for the petitioner.

Mr. Surya Kumar, AAG, Punjab,
for respondents No.1 to 3.

Mr. Shobhit Phutela, Advocate,
for respondent No.4.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed seeking direction to the respondents to release pensionary benefits i.e. gratuity, leave encashment, GPF etc. along with 9% interest on delayed payments of pensionary benefits especially in view of letter dated 10.05.1990 (Annexure P-1) and Full Bench judgment of this Court in ***A.S. Randhawa v. State of Punjab, 1997 (3) SCT 468.***

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 30.09.2024, however, his retiral dues have not been released despite making representation dated 12.10.2024 (Annexure P-2) received by respondent No.4 on 28.10.2024. He submits that at this stage,

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petitioner would be satisfied, if the said representation is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3-State and on the asking of the Court, Mr. Shobhit Phutela, Advocate, who is on the panel of Local Government, Punjab, accepts notice on behalf of respondent No.4 and they have no objection to the innocuous prayer made by learned counsel for the petitioner.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.4 is directed to consider and decide the claim made by the petitioner in representation dated 12.10.2024 (Annexure P-2) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, necessary benefits be released within a period of three weeks thereafter.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

11.12.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No