

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(257)

CWP-9295-2018

Date of Decision: May 13, 2019

Dalwara Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Lovinder Kaur, Advocate, for
Mr. Sandeep Singh Brar, Advocate, for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

Ms. Kavita Arora, Advocate, for respondent No.4.

HARSIMRAN SINGH SETHI, J.(ORAL)

A short affidavit on behalf of respondent No.4 filed in the Court today is taken on record.

Learned counsel for the parties are agreed that the amount of retiral benefits for which the petitioner was entitled for, has already been released to him.

Counsel for the petitioner prays that as the petitioner was entitled for this amount immediately after his retirement on 28.02.2017 but the same has been released starting from March, 2017 till May, 2019, petitioner is entitled for interest keeping in view the settled principle of law settled by the full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468.**

Learned counsel for the petitioner prays that she be granted liberty to file an appropriate representation with the authorities to claim

interest on the delayed release of the pensionary benefits. She further prays that in case, the said representation is filed, the same be decided expeditiously.

Learned counsel for the respondents states that the delay has only occurred because other Municipal Councils, where the petitioner had worked, had not released their benefits immediately and they are not party in the present writ petition and therefore, the claim of the petitioner qua interest is against those Municipal Councils and not against respondent No.4.

Be that as it may, once a representation is filed by the petitioner to the concerned Municipal Council for the grant of interest, the Municipal Council concerned shall pass appropriate orders deciding the said representation within a period of three months from the receipt of the same by passing a speaking order and in case, it is found that the petitioner is entitled for interest, the same should also be released to the petitioner within a period of three months thereafter.

Present writ petition stands disposed of in above terms.

May 13, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No