

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

CWP No. 21724 of 2015

Date of decision: 09.10.2015

Ram Dayal

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. H.S. Saini, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks release of retiral dues alongwith arrears and interest on account of the fact that a period of two years have passed since retirement on 30.09.2013.

It is the case of the petitioner that he had retired as Mali from the office of the Chief Executive Officer, Zila Parishad, Rupnagar and prior to his retirement, no departmental proceedings were pending and in spite of that, the retiral dues have not been paid.

Counsel submits that he has served a legal notice dated 16.09.2015 (Annexure P-3) upon the respondents for the necessary relief but no action has been taken on the same. Counsel submits that he would be satisfied at this stage if a direction is issued to the respondents to take a decision on the said legal notice within a time bound frame.

Keeping in view the limited relief sought, this Court does not feel necessary to call upon the respondents to file reply.

Accordingly, the writ petition is disposed of with a direction to respondent no. 3 to take into consideration the legal notice dated 16.09.2015 (Annexure P-3) and decide the same within a period of 3 months from the date of receipt of certified copy of the order. If the amounts are found to be due, the same be paid within a period of one month thereafter. The said respondent shall also take into account the fact that there has been substantial delay and right of the petitioner for the claim of interest shall also be kept into consideration. Needless to say that in case the relief is to be denied, the order should contain reasons.

09.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE