

CWP No. 17644 of 2015

DECIDED ON: NOVEMBER 17, 2017

CHANDER PARKASH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ravinder Malik, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 and 227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to release the retiral benefits i.e. gratuity, leave encashment, GPF etc by treating his regularisation of service on the post of Fitter Coolie w.e.f. January 01, 1987 and thereafter, by treating his promotion on the post of Water Pump Operator-II w.e.f. October 31, 2002, when his juniors were promoted, as per recommendation of respondents No.2 and 3 vide order dated 19.02.2013 (P-6)

2. A glance at the reply filed by respondents No.1 to 4 reveals that services of the petitioner have already been regularized vide order dated April 20, 2017 (R-1). In compliance of order dated April 20, 2017 (R-1) respondents

have already fix the pay of the petitioner as on July 01, 2014 vide order dated May 08, 2017 (R-2). Further, the case of the petitioner has already been sent to the Accountant General, Haryana for the grant of revised pension/DCRG vide letter dated May 10, 2017 (R-3).

3. At this juncture, learned counsel for the petitioner has pointed out that petitioner has not received the payment, so far.

4. Accordingly, instant petition is disposed of with a direction to respondents to release the payment(s) due to the petitioner within a period of two months, if not released earlier and Accountant General, Haryana is directed to take a final decision on the pension papers/DCRG, which has already been sent to them vide letter dated May 10, 2017 (R-3), within three months positively.

5. However, petitioner shall be at liberty to approach this Court with regard to interest of delayed payment(s).

NOVEMBER 17, 2017
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>