

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

**CWP No.16852 of 2016 (O&M)
DECIDED ON: OCTOBER 03, 2017**

SADHU SINGH**.....PETITIONER**

VERSUS

STATE OF PUNJAB & ORS**.....RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Ish Puneet Singh, Advocate
for the petitioner.

Mr. Manoj Bajaj, Addl. AG, Punjab,
for respondents No.1 to 4.

None for respondents No.5 and 6.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to release the pensionary benefits along-with interest after counting the entire service, with all consequential benefits to the petitioner, in view of the judgment dated April 01, 2013 (P-6) passed by this Court in CWP No. 9125 of 2011.

2. Learned counsel for the petitioner has submitted that similarly situated employees have already been granted the concession/relief, as has been claimed by the petitioner through instant petition. Moreover, legal notice dated May 11, 2016 (P-7) was also served upon some of the respondents, which has neither fetch any reply nor any conscious decision has been taken by the concerned authority.

3. Learned State counsel has submitted that some time be granted to the respondents to consider the claim of the petitioner set out in the legal notice (P-7) and necessary orders will be passed, in case the petitioner is found entitled to the claim sought through legal notice (P-7) the same shall be released, accordingly.

4. In view of the facts narrated above, instant petition is disposed of with a direction to respondent No.3 to look into the grievances unfolded by the petitioner in the legal notice (P-7) and to pass a speaking order in accordance with law, rules and instructions issued by Government of Punjab from time to time, that too within a period of two months from the date of receipt of certified copy of this order, that too after considering the judgment passed by this Court in CWP No. 9125 of 2011, titled as Satish Rani Sood vs. State of Punjab and others; decided on April 01, 2013. In case respondent No.3 comes to the conclusion that petitioner is entitled to the relief(s) claimed by him, to release the same within next one month. At the time of release of benefits, in the event of entitlement of petitioner, the grant of interest on delayed payment shall also be considered in view of observations made by this Court in CWP No. 8772 of 2015 titled as Charan Dass vs. State of Punjab & others, decided on July 11, 2017 and by Full Bench of this Court in case captioned as “A.S. Randhawa vs. State of Punjab and others; 1997 (3) SCT 468. However, if petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

OCTOBER 03, 2017
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(JASPAL SINGH)
JUDGE

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