

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

CWP No.15229 of 2017

Date of decision: July 17, 2017

Sudesh Kumar

....Petitioner

Versus

Punjab Mandi Board and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of an appropriate writ especially in the nature of Mandamus directing the respondents to release pensionary benefits of the petitioner in terms of regular monthly pension, gratuity, balance amount of leave encashment, community value of pension along with interest @ 12% from the date of retiral benefits became due till actual payment.

The contention of learned counsel for the petitioner is that the petitioner superannuated on 30th September, 2015, on attaining the age of superannuation but thereafter, he was not given any retiral benefits accrued to him on his retirement. Subsequent thereto, the petitioner was conscious to serve notice upon the respondents dated 17th August, 2016 (Annexure P-1) and in response to the said notice, the respondents intended some documents for completion of the pension case which he immediately supplied but till date no action has been taken though leave encashment has been paid in part, the other benefits have not so far been released.

Instant petition is disposed of with direction to respondent No.1-Punjab Mandi Board, Punjab Mandi Bhawan, SAS Nagar, Phase-11 Mohali through its Secretary to take appropriate action to consider the grievances unfolded by the petitioner in his legal notice dated 17th August, 2016 (Annexure P-1) within a period of three months from the date of receipt of certified copy of this order and in case it comes to conclusion that the petitioner is entitled to the benefits, to release the same. Respondent No.1 is further directed to consider the payment of interest on the delayed payments also while considering the legal notice referred to above.

July 17, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned
Whether Reportable

Yes/No
Yes/No