

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.16974 of 2017
DECIDED ON: August 02, 2017

ASHOK KUMAR

.....PETITIONER..

VERSUS

PUNJAB STATE CIVIL SUPPLIES
CORPORATION LTD. AND ANR.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sunny Singla, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ, order or direction especially in the nature of mandamus, directing the respondents to release pensionary benefits i.e. leave encashment along with 18% interest on the delayed payment of pensionary benefits in terms of statutory rules, govt. instructions and law laid down by full bench judgment of this Court in “***R.S. Randhawa v. State of Punjab***”, 1997 (3) RSJ 318.

2. The contention of learned counsel for the petitioner is that though the pensionary benefits have been disbursed to the petitioner but the amount of leave encashment along with interest @ 18% has not so far been disbursed to him, who stood retired from service on 31.08.2012 on attaining the age of

superannuation. Even, the petitioner moved representation in this regard dated 22.03.2017 (Annexure P-3) but neither it did fetch any reply nor any action has been taken thereon.

3. Learned counsel for the petitioner submits that he feels satisfied in case direction is given to respondent No.2 to consider the claim of the petitioner put forth by way of representation dated 22.03.2017 (Annexure P-3) and take a final decision within a stipulated period.

4. Thus, instant petition is disposed of with the direction to respondent No.2-District Manager, PUNSUP, Bathinda, to look into the grievances unfolded by the petitioner in his representation dated 22.03.2017 (Annexure P-3) and take a conscious decision, within a period of 3 months from the date of receipt of certified copy of this order. In case, respondent No.2 comes to the conclusion that petitioner is entitled to leave encashment, to release/disburse the same to the petitioner along with interest on the delayed payment of pensionary benefits, in view of the observations made by Full Bench judgment of this Court, captioned as “*R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*”, within a period of next 45 days.

August 02, 2017
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***