

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.17059 of 2017
DECIDED ON: August 02, 2017

DR. RAKESH GARG

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.K. Arora, 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 in the nature of mandamus, directing the respondents to the gratuity of the petitioner, which has already been sanctioned vide order dated 04.04.2016 (P-1) by respondent No.5 together with payment of interest for the delay @ 18% p.a. In terms of law laid down by the Full bench judgment of this Court in ***“A.S. Randhawa v. State of Punjab and others”, 1997(3) RSJ 318.***

2. Learned counsel for the petitioner contends that though the gratuity has already been sanctioned by Senior Accounts Officer, Chandigarh vide letter dated 04.04.2016 (Annexure P-1) but till date the payment thereof has not been released to the petitioner. Even, the petitioner moved representations dated 21.02.2017 and 24.05.2017 (Annexures P-2 and P-3) respectively, in this regard

but neither it did fetch any reply nor any action has been taken thereon.

3. Instant petition is disposed of with the direction to respondent No.2-Director, Ayurvedic Department, Punjab, Sector 22, Chandigarh, to look into the grievances unfolded by the petitioner in his latest representation dated 24.05.2017 (Annexure P-3) and take a conscious decision, within a period of two 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 the relief claimed, same be released/disbursed to the petitioner along with interest on the delayed payment 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 one month.

August 02, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***