

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

Sr. No.117

Civil Writ Petition No.18427 of 2017
DECIDED ON: August 21, 2017

PARTAP SINGH BIRTHAL

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.S. Mamli, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ especially in the nature of mandamus/certiorari directing the respondents to release the retiral benefits i.e. Pension, gratuity, leave encashment and all other consequential benefits with interest as well as to grant ACP for the year 2008 and 2016 along with interest.

2. Learned counsel for the petitioner contends that though a representation dated August 04, 2017 (Annexure P-3) was issued to the respondents but neither any reply to the aforesaid representation has been received nor any final order has been passed by the respondents.

Civil Writ Petition No.18427 of 2017

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents No.2 & 3 to decide his representation dated August 04, 2017 (Annexure P-3) in a time bound manner.

4. Instant petition is disposed of with a direction to respondents No.2 & 3 to look into the grievances unfolded by the petitioner in his representation dated August 04, 2017 (Annexure P-3) and take a conscious decision by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case, respondents No.2 & 3 comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released/disbursed to him within a period of next 45 days. Factum of interest in view of judgment in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* be also considered on delayed payment(s).

5. However, if petitioner still feels aggrieved by any order of respondents No.2 & 3, he shall be at liberty to approach this Court.

August 21, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No