

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

Sr. No.113

CWP No.19120 of 2017
DECIDED ON: August 25, 2017

MOHAN LAL

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Puneet Kumar Bansal, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to release the remaining amount of gratuity, leave en-cashment, provident fund etc. to the petitioner along with interest @ 18 % per annum.

2. At the very outset, it has been submitted by learned counsel for the petitioner that wife of petitioner namely Smt. Vidhya expired on May 16, 2014 and for the benefits accrued on account of her untimely demise have not been disbursed to the petitioner till date. Though, a legal notice dated August 08, 2017 (Annexure P-1) was served upon respondents but no final decision has been taken by the concerned authorities till date.

CWP No.19120 of 2017

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide legal notice dated August 08, 2017 (Annexure P-1) in a time bound manner.

4. Instant petition is disposed of with a direction to respondent No.2-Director, Local Bodies, Punjab, Punjab Municipal Bhawan, Plot No.3, Sector 35-A, Chandigarh to look into the grievances unfolded by the petitioner in his legal notice dated August 08, 2017 (Annexure P-1) and take a conscious decision by passing a speaking order that too, after giving a patience hearing to the petitioner within a period of three months from the date of receipt of a certified copy of this order. Respondent No.2 is further directed to disburse the said benefits, in case, he comes to the conclusion that petitioner is entitled to it 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 of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

August 25, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**