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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.115

Civil Writ Petition No.19769 of 2017
DECIDED ON: *September 01, 2017*

SUNIL KUMAR

..PETITIONER

VERSUS

THE CHAIRMAN-CUM-MANAGING DIRECTOR, UHBVN, SECTOR 6, PANCHKULA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.P. Arora, Advocate for
Mr. Himanshu Arora, Advocate,
for the petitioner.

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JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondent to release pensionary benefits along with leave en-cashment and gratuity to the petitioner w.e.f. August 16, 2016 (Annexure P-6), the date when he was allowed to get voluntary retirement along with interest @ 15% per annum from the date the payment has been delayed till date.

2. The contention of learned counsel for the petitioner is that petitioner sought voluntary retirement, which was accepted. In pursuance of his voluntary retirement order, he stands voluntarily retired w.e.f. August

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16, 2016. Despite the fact that a period of approximately 9 months has expired but no retiral benefits has been released/disbursed to the petitioner. Even a representation dated November 16, 2016 (Annexure P-8) was also made to the Chief Engineer 'OP' UHBVN, Panchkula but till date no action has been taken.

3. Accordingly, instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in his representation dated November 16, 2016 (Annexure P-8) and to 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. In case, respondent No.1 comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next 45 days. Factum of interest in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017, be also considered on delayed payment(s).

4. However, if petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

September 01, 2017 **(JASPAL SINGH)**
Ankur **JUDGE**

Whether speaking/reasoned **Yes/No**
Whether reportable **Yes/No**