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

CWP No. 20260 of 2017

DECIDED ON: SEPTEMBER 07, 2017

NIRMALA DEVI

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajender Singh Malik, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to grant 18% interest on the delayed payment of gratuity and pension commutation.

2. At the very outset, learned counsel for the petitioner submits that though a legal notice dated May 30, 2017 (Annexure P-8) was served upon the respondents but till date neither any reply has been received nor any conscious decision has been taken. He further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the legal notice (Annexure P-8) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in the legal notice dated May 30, 2017 (Annexure P-8) and take a conscious decision in accordance with law within a period of three months from the date of certified copy of this order. In case respondent No.2 comes to the conclusion that petitioner is entitled to the interest on delayed payments, to make the payment thereof, within next 45 days. However, the matter with regard to grant of interest on delayed payment be considered in view of observations made by Full Bench of this Court in case captioned as “A.S. Randhawa vs. State of Punjab and others; 1997 (3) SCT 468 and in CWP No. 8772 of 2015 titled as Charan Dass vs. State of Punjab & others; decided on July 11, 2017. However, if the petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

SEPTEMBER 07, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*