

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

**CWP No. 20315 of 2017
DECIDED ON: SEPTEMBER 08, 2017**

ASHOK KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Raj Kaushik, 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 him pension and all other retiral benefits as well as ACP pay scale by adding previous service rendered by him with respondent No.3 w.e.f 27.11.1979 to 30.06.2002 along-with interest @18% per annum.

2. At the very outset, learned counsel for the petitioner submits that petitioner stood retired on attaining the age of superannuation on April 30, 2017 but till date retiral benefits have not been released to the petitioner. Even, a legal notice dated June 30, 2017 (Annexure P-11) was served upon the respondents but 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 same 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 June 30, 2017(Annexure P-11) and take a conscious decision in accordance with law, rules and regulation and instructions issued from time to time and also keeping in view the judgment dated January 14, 2016 passed in CWP No. 10017 of 2014, titled as **Prem Parkash Gupta vs. State of Haryana and others,** (Annexure P-7), within a period of three months from the date of receipt of certified copy of this order. In case respondent No.2 comes to the conclusion that petitioners are entitled to the relief(s) claimed by them, to make payment thereof, within next 45 days. However, if the petitioner still feel aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

SEPTEMBER 08, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*