

CWP No. 21054 of 2017

DECIDED ON: SEPTEMBER 18, 2017

DARSHAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB & ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harbans Sharma, 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 all retiral benefits to the petitioner alongwith interest @12% per annum for delayed payments from its due date till actual date of payment, in view of Full Bench judgment passed by this Court in the case of **A.S. Randhawa vs. State of Punjab; 1997 (3) RSJ 318.**

2. At the very outset, learned counsel for the petitioner submits that though legal notice dated August 02, 2017 (Annexure P-9) was served upon the respondents but till date neither any reply has been received nor any action has been taken. He further submits that he feels satisfied in case a direction is issued to respondents No.3 and 5 to decide the legal notice (Annexure P-9) within a time bound manner.

3. Accordingly, instant petition is disposed of with a direction to respondents No.3 & 5 to look into grievances unfolded by the petitioner in the legal notice dated August 02, 2017 (Annexure P-9) and dispose of the same in accordance with law, rules, regulations and instructions issued by the Government from time to time within a period of three months from the date of certified copy of this order. In case respondents No.3 & 5 come(s) to the conclusion that petitioner is entitled to the relief(s) claimed by him, to release the same within next one month. The matter with regard to grant of interest on delayed payments shall also 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 petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

SEPTEMBER 18, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*