

CWP No. 21689 of 2017

DECIDED ON: SEPTEMBER 22, 2017

SHIAM LAL GUPTA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Jagdeep Singh Rana, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to release the withholding amount of GPF, GIS and other benefits, which have not been released to the petitioner so far along-with interest @24% per annum from the due date till its actual realization.

2. Notice of motion.

3. At the asking of Court, Ms. Devaki Anand Sullar, AAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day. In view of order going to be passed in the instant petition reply to the petition is not required.

4. Learned counsel for the petitioner has submitted that representations dated January 24, 2017 (Annexure P-2) and May 18, 2017 (Annexure P-5) were

sent to Deputy Director, Department of Animal Husbandary, Shaheed Bhagat Singh Nagar but till date no action has been taken. Even, though a legal notice dated August 01, 2017 (Annexure P-6) was served upon the respondents, which has neither fetch any reply nor benefits have been released so far. He further submits that he feels satisfied in case a direction is issued to respondent No.2 to consider and dispose of the legal notice (Annexure P-6) 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 August 01, 2017 (Annexure P-6) and to take a conscious decision 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 receipt of certified copy of this order. In case respondent No.2 comes to the conclusion that petitioner is entitled to the relief(s) claimed by him, to release the same within next 45 days. However, the matter with regard to grant of interest on delayed payments be also 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 22, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*