

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

**CWP No.22874 of 2017
DECIDED ON: OCTOBER 07, 2017**

RAJINDER KAUR

.....PETITIONER.

VERSUS

STATE OF HARYANA AND 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 Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to grant the pension and all other retiral benefits as well as ACP pay scale by adding previous service rendered by the petitioner with respondent No.3 w.e.f. 19.04.1979 to 30.06.2002 with interest @ 18% per annum on unpaid amount of pension, commutation, gratuity, leave encashment, GIS etc and ACP pay scale.

2. At the very outset of the arguments, learned counsel for the petitioner contends that though a legal notice dated 30.06.2016 (Annexure P-9) was duly served upon the respondents but till date neither any reply has been received nor any decision has been taken by them.

3. Learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide the legal notice dated 30.06.2016 (Annexure P-9) within a stipulated period.

4. Accordingly, instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in his legal notice dated 30.06.2016 (Annexure P-9) and to decide the same, in accordance with law, within a period of three months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the benefits claimed through aforesaid legal notice, to release/disburse the same within a period of next 45 days. The grant of interest be also considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*** and in view of latest judgment passed in CWP No.22242 of 2017, captioned as ***“Ramesh Kumar v. State of Punjab and others”***, decided on 28.09.2017.

4. However, if the petitioner still feels aggrieved of the order passed by the concerned authority, he shall be at liberty to approach this Court.

OCTOBER 07, 2017,
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***