

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

**CWP No.22893 of 2017
DECIDED ON: OCTOBER 07, 2017**

DILBAGH SINGH

.....PETITIONER.

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS.

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Rattan, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

A prayer in this petition preferred under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to release the amount of gratuity, leave encashment, GP Fund and GIS which has already been sanctioned along with interest @ 12% per annum on delayed payment.

2. The contention of learned counsel for the petitioner is that though the petitioner stood retired on 31.12.2016 on attaining the age of superannuation and amount on account of gratuity, leave encashment, GP Fund and GIS has already been sanctioned but till date the same has not been released/disbursed to the petitioner.

3. Learned counsel for the petitioner contends that even a legal notice

dated 28.08.2017 (Annexure P-8) was duly served upon the respondents but till date neither any reply has been received nor any decision has been taken by them.

4. Learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide the legal notice dated 28.08.2017 (Annexure P-8) within a stipulated period.

5. Accordingly, instant petition is disposed of with a direction to respondent(s) to release/disburse the amount already sanctioned to the petitioner, within a period of 45 days from the date of receipt of certified copy of this order. 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.

6. 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***