

111 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 23636 of 2017
DECIDED ON: NOVEMBER 02, 2017

SATISH CHANDER

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Prateek Pandit, 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 especially in the nature of mandamus directing the respondents to release the retiral benefits of the petitioner such as GPF, leave encashment, death-cum-retirement gratuity and GIS etc. forthwith along-with interest @ 18% per annum from the due date till its actual realization in view of Full Bench judgment of this Court in the case of **A.S. Randhawa, Superintending Engineer vs. State of Punjab and others;** ***1997 (3) Service Cases Today, 468.***

2. The contention of learned counsel for the petitioner is that petitioner stood retired on April 30, 2017 on attaining the age of superannuation but till date nothing has been paid to him. Petitioner was constrained to serve legal notice dated September 29, 2017 (P-2) upon the respondents through his

counsel but till date no action has been taken. Learned counsel for the petitioner further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to consider and decide the aforesaid legal notice, 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 his legal notice (P-2) and to decide the same in view of Service Rules and Regulations as well as 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 make the payment thereof, within next 45 days.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“A.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318.*** However, interest shall be calculated after the expiry of three months period from the date of retirement of the petitioner.

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

NOVEMBER 02, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*