

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24215 OF 2017
DECIDED ON: OCTOBER 26, 2017

DR. RAMESH CHANDER TEJPALPETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. S.K. Sandhir, 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, order or direction against the respondents in stalling the payment of the retiral dues of gratuity/leave encashment/CPF @ 10% total salary due towards the petitioner in lieu of 37 years service rendered with respondents No.3 and 4 and directing them to release all the pending proportionate dues of gratuity/leave encashment/CPF along with interest.

2. At the very outset of the arguments, learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondents to decide legal notice dated 09.09.2017 (Annexure P-8), within a stipulated period.

3. Instant petition is disposed of with a direction to the respondent(s)

to look into the grievances unfolded by the petitioner in his legal notice dated 09.09.2017 (Annexure P-8) and to deal with and dispose of 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 relief claimed, to release the same within a period of next 45 days. The factum of grant of interest on delayed payment of retiral benefits to the petitioner shall also be 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.***”

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

OCTOBER 26, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***