

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

Sr. No.117

Civil Writ Petition No.24586 of 2017
DECIDED ON: October 31, 2017

CHETAN PARKASH

..PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. K.K. Goel, Advocate, for the petitioner.

JASPAL SINGH, J. (ORAL)

Notice of motion.

2. At the asking of the Court, Mr. Charanjit Singh Bakshi, Additional Advocate General, Haryana accepts notice on behalf of the respondents-State. Copy of the petition be supplied to learned State counsel during the course of the day.

3. Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondent No.2 to release the amount of gratuity in favour of the petitioner and has not so far been released till date despite the petitioner stood retired on attaining the age of superannuation on November 30, 2016 as Superintendent Engineer (Civil).

4. During the course of arguments, it has emerged that even an order (P-5) has also been passed by the respondents with regard to release the gratuity except an amount of Rs.1.00 lac from the balance amount of DCRG which has ordered to be withheld in the month of July 2014 but till

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date even the said order has not been implemented. The petitioner earlier served a legal notice dated May 18, 2017 (P-6) in pursuance of which the aforesaid order appears to have been passed but it has not been implemented.

4. Instant petition is disposed of with a direction to respondents to comply with the aforesaid order passed with regard to disbursement of gratuity within a period of one month from the date of receipt of a certified copy of this order that too, along with interest @ 9% per annum after the expiry of three months from the date of retirement till its actual payment.

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

October 31, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No