

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

**CWP No. 24642 of 2017
DECIDED ON: OCTOBER 31, 2017**

SURINDER KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Arvind Chauhan, 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 a writ in the nature of mandamus directing the respondents to consider and decide the legal notice dated August 10, 2017 (P-3) by passing a speaking order within a stipulate period

2. Learned counsel for the petitioner has submitted that to release the retiral benefits, he served a legal notice dated August 10, 2017 (P-3) upon the respondents but till date neither any reply nor any response has been received from the respondents. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the legal notice (P-3) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice (P-3) and to take a conscious decision in accordance with law within a period of three months from the date of receipt of certified copy of this order. In case respondents comes to the conclusion that petitioner is entitled to the relief(s) claimed by him, to release the same within next 45 days. However, the matter with regard to grant of interest on delayed payment be also considered in view of observations made by Full Bench of this Court in case captioned as **“A.S. Randhawa vs. State of Punjab and others; 1997 (3) SCT 468** and in CWP No. 8772 of 2015 titled as **Charan Dass vs. State of Punjab & others;** decided on July 11, 2017. However, if the petitioner still feels aggrieved by any order of the afore-said authorities, he shall be at liberty to approach this Court.

OCTOBER 31, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No