

CWP No. 25187 of 2017

DECIDED ON: NOVEMBER 06, 2017

HARPREET SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Arora, 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 a writ in the nature of mandamus directing the respondents to release the retiral benefits accrued to the father of the petitioner along-with interest.

2. It has been submitted by learned counsel for the petitioner that father of the petitioner stood retired on February 28, 2015 on attaining the age of superannuation. Father of the petitioner died on May 15, 2016. He further submits that nothing has been paid to the petitioner till date despite the fact that amount accrued on account of gratuity and commuted value of pension has already been sanctioned. Petitioner constrained to serve legal notice dated September 04, 2017 (P-6) upon the respondents, which also did not fetch any reply. However, he submits that he feels satisfied in case a direction is issued to

respondents to consider and decide the afore-said legal notice (P-6) within a time bound manner.

3. Notice of motion.

4. At the asking of Court, Mr. Manoj Bajaj, Addl. AG, Punjab, accepts notice on behalf of respondent-State of Punjab. Copies of the petition be supplied to learned State counsel during the course of day.

5. Accordingly, instant petition is disposed with a direction to respondents to release all the benefits to the petitioner i.e. gratuity, commuted pension, which have already been sanctioned, within a period of one month from the date of receipt of certified copy of this order, that too, along-with interest @9% per annum, which shall be calculated after the expiry of three months from the date of retirement of petitioner till its actual realization.

6. However, in case petitioner still feels aggrieved by any order of the afore-said authorities, he shall be at liberty to approach this Court.

NOVEMBER 06, 2017
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>