

CWP No. 25655 of 2017

DECIDED ON: NOVEMBER 10, 2017

LAKHINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vivek Sharma, Advocate
for the petitioner.

JASPAL SINGH, J. (ORAL)

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 respondents to release all the retiral benefits accrued to him i.e. gratuity, leave encashment, GP fund, etc. along with interest @ 18% per annum from the date it became due till its actual realization..

2. Learned counsel for the petitioner contends that petitioner stood retired on March 31, 2017 on attaining the age of superannuation but till date nothing has been paid to him. Even, representation dated September 16, 2017 (P-5) made by the petitioner as well legal notice dated September 15, 2017 (P-6) served upon the respondents, does not fetch any reply. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide her afore-said legal notice (P-6) within a time bound manner.

3. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice (P-6) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice within a period of three months from the date of receipt of a certified copy of this order. In case respondents came 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 by this Court in CWP No. 8772 of 2015 titled as **Charan Dass vs. State of Punjab & others;** decided on July 11, 2017

4. 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.

NOVEMBER 10, 2017
sahil soni

(JASPAL SINGH)
JUDGE

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