

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 25769 OF 2017
DECIDED ON: NOVEMBER 13, 2017

PRITHVI VALABH SOOD

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.K. Arora, 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 in the nature of certiorari/mandamus, quashing the impugned action of the respondents in not releasing the sanctioned amount of gratuity as per Gratuity Payment Order dated 15.06.2017 (Annexure P-1) and not releasing the revised retirement benefits on the basis of enhanced dearness allowance admissible on the date of retirement of the petitioner. And further to release the sanctioned amount of gratuity and to release the revised retirement benefits with interest @ 18% per annum for the delayed payments of GPF, pension, leave encashment, gratuity, commutation of pension, GIS etc. in terms of Full Bench judgment titled as ***“A.S. Randhawa v. State of Punjab and others”, 1997 (3) RSJ 318.***

2. Learned counsel for the petitioners submits that though gratuity has

already been sanctioned by Accounts Officer, Chandigarh vide letter dated 15.06.2017 (Annexure P-1) but till date the payment thereof has not been released to the petitioner. Even, legal notice dated 24.05.2017 (Annexure P-2) was duly served upon the respondents but neither it did fetch any reply nor any action has been taken thereon.

3. Instant petition is disposed of with a direction to respondent(s) to release the amount of gratuity, which has already been sanctioned vide letter dated 15.06.2017 (Annexure P-1), within a period of two months from the date of receipt of certified copy of this order. The claim of grant of interest shall also be considered in the light of observations made by Full Bench of this Court in case titled as "*A.S. Randhawa v. State of Punjab and others, 1997 (3) SCT, 468.*"

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

NOVEMBER 13, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*