

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.26325 of 2017
DECIDED ON: NOVEMBER 20, 2017

DHIAN CHAND

.....PETITIONER.

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS.

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajeev Dev Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

Through instant civil writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to pay the remaining retiral benefits i.e. complete special increments, medical bills and revised pension. And further to release the interest on the delayed payment of pensionary benefits from the date its accrual till the date of actual realization in view of full bench judgment of this Court in "*A.S. Randhawa v. State of Punjab and others*", 1997 (3) SCT 468

2. The contention of learned counsel for the petitioner is that the medical bill has already been sanctioned and conveyed to the petitioner as is evident from letter dated 03.11.2016 (Annexure P-3) for the reimbursement of a

sum of ₹1,25,843/- but till date, the payment thereof has not been released/dispensed to the petitioner.

3. The other contention put forth by learned counsel for the petitioner is that though the respondents are admitting the liability with regard to the revised pension and commuted value as well as special promotion of the petitioner but till date no final decision has been taken. The petitioner approached the respondents time and against and ultimately, he was constrained to serve legal notice dated 31.05.2017 (Annexure P-5) but despite the fact that a period of more than 5 months had already elapsed, no conscious decision has been taken. Neither the notice has been responded by any of the respondents nor the benefit has been released.

4. Accordingly, instant petition is disposed of with a direction to respondent(s) to release the amount of ₹1,25,843/- already sanctioned within a period of 45 days from the date of receipt of certified copy of this order. As far as other reliefs are concerned, to consider all the various averments made in the legal notice dated 31.05.2017 (Annexure P-5) by passing a speaking order, within a period of three months from the date of receipt of certified copy of this order.

5. However, if the petitioner still feel aggrieved of the order passed by the concerned authority, he shall be at liberty to approach this Court.

NOVEMBER 20, 2017
sonika

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned Yes

Whether reportable Yes/No