

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

Sr. No.109

Civil Writ Petition No.26933 of 2017
DECIDED ON: November 28, 2017

KARNAIL SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Surinder Thakur, Advocate, for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of a writ especially in the nature of Mandamus directing the respondents to release all the pending retiral/service dues of the petitioner along with @ 18% per annum.

2. The contention of learned counsel for the petitioner is that the payment of pension, gratuity and GPF has already been sanctioned vide order dated May 09, 2017 and May 11, 2017 (P-2 & P-3). But till date, the same as well as other retiral benefits have not been paid to the petitioner. Petitioner stood retired on April 30, 2017 as Principal from the office of respondent No.3 on attaining the age of superannuation. There is no disciplinary inquiry has been pending against the petitioner.

3. Learned counsel for the petitioner submits that though a legal notice dated October 23, 2017 (P-4) was moved to the respondents but till date, no action has been taken. He further submits that petitioner feels

Civil Writ Petition No.26933 of 2017

satisfied in case direction is given to respondents, to decide the aforesaid legal notice, within a stipulated period.

4. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated October 23, 2017 (P-4) and to take a conscious decision by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case, there is no impediment, relief(s) claimed through the instant petition be released to him within a period of next 45 days. Factum of interest in view of judgment passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017, shall also be considered on delayed payment(s).

5. 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 28, 2017

Ankur

Whether speaking/reasoned
Whether reportable

Yes
Yes/No

(JASPAL SINGH)
JUDGE