

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

Sr. No.113

Civil Writ Petition No.27634 of 2017
DECIDED ON: December 05, 2017

SURJIT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. L.S. Bhullar, 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 compute and disburse the retiral benefits i.e. GPF, Leave Encashment, DCRG etc. w.e.f. the date of his retirement along with interest @ 18% per annum on the delayed payment of retiral dues and further directing the respondents to decide the legal notice (P-1).

2. Learned counsel for the petitioner contends that though a legal notice dated November 02, 2017 (P-1) was made to the respondents but till date neither any reply to the said legal notice has been received nor any final order has been passed by the concerned authority.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice (P-1) in a time bound manner.

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4. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in his legal notice dated November 02, 2017 (P-1) 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, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same 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 and Instructions dated May 10, 1990 issued by the Government of Punjab, 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.

December 05, 2017
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No