

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

Sr. No.113

Civil Writ Petition No.28237 of 2017
DECIDED ON: December 13, 2017

YASH PAL SINGH

..PETITIONER

VERSUS

**MANAGING COMMITTEE, SAINIK PARIVAR BHAWAN,
HARYANA, SECTOR 12, PANCHKULA AND ANOTHER**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Samrat Malik, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release the salary of the petitioner for the period from 01.02.2016 to 31.01.2017 for the period his services were extended after the date of superannuation and to release the arrears along with interest.

2. Learned counsel for the petitioner contends that though a representation was made to the respondents on October 20, 2016 (P-3) but till date no action has been taken.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid representation in a time bound manner.

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4. Instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in his representation dated October 20, 2016 (P-3) 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 legal impediment, same be released to the petitioner within a period of next two months. 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 No.1/2(152) 01-2 FR II dated 20.02.2002 issued by the Government of Haryana, be also 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 13, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**