

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 28524 OF 2017
DECIDED ON: DECEMBER 15, 2017

MANSA RAM

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sunny Singla, 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 especially in the nature of mandamus directing the respondents to release pension and the amount of pensionary benefits i.e. gratuity, leave encashment etc., which has not been released so far along with interest @ Rs. 18%per annum on the delayed payment.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on attaining the age of superannuation on 31.07.2014. Though, some of the benefits have already been released but that too, after an inordinate delay, for which, no interest has been paid. He further contends that even the remaining amount is still recoverable from the respondents, which is being put off on one pretext or the other. Ultimately, petitioner was constrained

to serve legal notice upon the respondents on 29.04.2017 (Annexure P-2) but till date nothing has been done.

3. Learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 29.04.2017 (Annexure P-2), within a stipulated period.

4. Instant petition is disposed of with a direction to respondent(s) to look into the grievances unfolded by the petitioner in his legal notice dated 29.04.2017 (Annexure P-2) and take a conscious decision, within a period of three months from the date of receipt of certified copy of this order.

5. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as “*R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318* as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

6. However, if the petitioner still feels aggrieved against any of the order(s) passed by concerned authorities, he shall be at liberty to approach this Court.

DECEMBER 15, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*