

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

Sr. No.113

Civil Writ Petition No.29087 of 2017
DECIDED ON: December 20, 2017

JOGINDER

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Puneet Kumar Bansal, 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 Gratuity, Leave Encashment, Provident Fund and Pension etc. to the petitioner along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on November 27, 2017 (P-1) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents No.3 & 4 to decide the aforesaid legal notice in a time bound manner.

Civil Writ Petition No.29087 of 2017

3. Instant petition is disposed of with a direction to respondents No.3 & 4 to look into the grievances unfolded by the petitioner in his legal notice dated November 27, 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, there is no legal impediment, same be released to the petitioner 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 No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, be also considered on delayed payment(s).

4. 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 20, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**