

CWP No. 29201 of 2017

DECIDED ON: DECEMBER 20, 2017

PARKASH CHAND

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Peeush Gagneja, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India petitioner has sought a writ in the nature of mandamus directing the respondents to release all the retiral benefits to the petitioner such as Gratuity, leave encashment, DA installments, arrears of revised pay scale w.e.f. 01.01.2006 along-with interest on the delayed payment(s).

2. Learned counsel for the petitioner has submitted that petitioner stood retired on April 30, 2016 on attaining the age of superannuation but till date nothing has been paid to him despite the fact that 7 months have elapsed. Petitioner constrained to serve legal notice dated October 09, 2017 (P-4) upon the respondents, which also did not fetch any reply. He further submits that he feels satisfied in case a direction is issued to respondent No.4 to consider and decide the legal notice (P-4) within some stipulated period.

4. Accordingly, instant petition is disposed of with a direction to respondent No.4 to look into the grievance unfolded by the petitioner in the legal notice (P-4) and to decide the same in accordance with law, rules, regulations and instructions issued by the government of Punjab from time to time within a period of two months from the date of receipt of certified copy of this order. In case the authority comes to the conclusion that petitioner is entitled to the relief claimed by him through the legal notice (P-4), to release the same within next one month, if there is no impediment legal or otherwise.

5 As far as grant of interest on the delayed payment(s) is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*

6. However, if the petitioner still feels aggrieved by any order of afore-said authority, he shall be at liberty to approach this Court.

DECEMBER 20, 2017
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>