

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

**CWP No. 29528 OF 2017
DECIDED ON: DECEMBER 22, 2017**

KANWALJIT SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. M.S. Bajwa, 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 in the nature mandamus, directing the respondents to release the retiral benefits such as pension, gratuity, leave encashment, GPF, GIS along with interest @ 18% per annum.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on attaining the age of superannuation on 31.12.2016 as SPEO but till date no payment on account of retiral benefits has been made despite the fact that there is no departmental inquiry or judicial proceedings pending against the petitioner. Even, legal notice dated 02.11.2017 (Annexure P-2 (colly)) was duly served upon the respondents but it did not fetch any reply nor benefits have been released to the petitioner. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide

aforesaid legal notice, within a stipulated period.

3. Accordingly, the instant petition is disposed of with the direction to respondent(s) to consider the case of the petitioner unfolded in his legal notice dated 02.11.2017 (Annexure P-2(colly)) and to decide the same, within a period of two months from the date of receipt of certified copy of this order. In case, the concerned authorities come to the conclusion that petitioner is entitled to the relief claimed, to release the same within next 30 days.

4. 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.

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

DECEMBER 22, 2017
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(JASPAL SINGH)
JUDGE

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