

CWP No. 29935 of 2017

DECIDED ON: DECEMBER 22, 2017

ASHOK KUMAR

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Aman Dhir, 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 along-with interest 18% p.a. on the delayed payment(s) thereof.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on attaining the age of superannuation on August 31, 2017 but despite the fact that a period of more than three months has elapsed nothing has been paid to him. He further submits that neither any departmental inquiry nor any judicial proceeding is pending against the petitioner. Petitioner made various representations including representation dated November 17, 2017 (P-4) but till date neither any reply to the said representation has been received nor any conscious decision has been taken. He further submits that he feels satisfied in

case a direction is issued to respondents to consider and decide the afore-said representation (P-4) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the representation (P-4) and to decide the same in accordance with law, rules, regulations and instructions issued by the Government 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, to release the same within next one month.

4. However, respondents are also directed to consider the case of the petitioner for the grant of interest in view of judgment passed by Full Bench of this Court in the case of “*A.S Randhawa v. State of Punjab and others; 1997 (3) SCT 468*.”

5. However, if petitioner still feels aggrieved by any order of the afore-said 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/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>