

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

Sr. No.248

Civil Writ Petition No.9128 of 2016
DECIDED ON: November 07, 2017

BALRAM SHUKLA

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Shukla, Advocate,
for the petitioner.

Ms. Devaki Anand Sullar, Assistant Advocate General, Punjab.

JASPAL SINGH, J. (ORAL)

Through the instant writ petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus, directing the respondents to release the amount after clearing the arrear bill No.154 dated April 20, 2015 along with interest @ 18% per annum on account of delayed payment.

2. In response to notice of motion, learned State counsel has appeared and sought time to file reply. But till date, respondents did not file reply or written statement. However, during the course of arguments, learned counsel for the petitioner has emerged that petitioner served a legal notice dated March 18, 2016 (P-2) prior to the filing of the instant petition for clearing the relief, which has been sought through the instant petition. The arrear bill in question pertains to the period from November 01, 2006 to

November 01, 2010 which was prepared and submitted to respondent No.3- General Manager, Punjab Roadways, Ludhiana Depot, Ludhiana in the month of April, 2015. But till date, it has not been cleared and payment has not been disbursed to the petitioner.

3. Taking into consideration the aforesaid aspects of the case, instant petition is disposed of with a direction to respondent No.3- General Manager, Punjab Roadways, Ludhiana Depot, Ludhiana to look into the grievances unfolded by the petitioner in his legal notice dated March 18, 2016 (P-2) and to take a conscious decision by passing a speaking order within a period of two months from the date of receipt of a certified copy of this order. In case, respondent No.3 comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released/dispensed to him within a period of next 30 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, 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.

November 07, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**