

**CWP No.10125 of 2018
DECIDED ON: APRIL 25, 2018**

KAMAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajeev Dev Sharma, 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 him all the retiral benefits such as leave encashment, gratuity, GPF and pension as well as arrears along-with interest on the delayed payment(s) thereof.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on 31.12.2017 on attaining the age of superannuation but till date nothing has been paid to him. Petitioner moved a representation dated 17.01.2018 (P-2) to respondent No.4 with regard to release his retiral dues but till date neither any reply has been received nor any conscious decision has been taken. At this juncture, learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondent No.4 to consider and decide the afore-said legal notice within a time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.4 to look into the grievances unfolded by the petitioner in his representation dated 17.01.2018 (P-2) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representation within a period of two months from the date of receipt of a certified copy of this order. In case, competent authority comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next 45 days.

4. The factum of interest shall also be considered on delayed payment(s), 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,

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to other remedies available to him under law including to approach this Court.

APRIL 25, 2018
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(JASPAL SINGH)
JUDGE

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