

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11153 OF 2018
DECIDED ON: MAY 04, 2018

SURINDER PAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. K.R. Dhawan, Advocate,
for the petitioner.

JASPAL SINGH, J.

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 of mandamus directing the respondents to release all the remaining retiral benefits alongwith interest.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on attaining the age of superannuation on 31.08.2017 but till date all the remaining retiral benefits have not been released to him. He further submits that neither any departmental inquiry nor any judicial proceeding is/was pending against the petitioner. Even, petitioner moved various representations and served legal notice dated 04.04.2018 (P-4) but till date neither any response to representations as well as to the legal notice has been received nor any conscious decision has been taken. He further submits that he feels satisfied in

case a direction is issued to respondent(s) to consider and decide the afore-said legal notice (P-4) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.3-The Executive Officer, Nagar Council, Bagha Puana, District Moga to look into the grievances unfolded by the petitioner in legal notice (P-4) and to decide the same in accordance with law, within a period of two months from the date of receipt of certified copy of this order. If there is no impediment in granting the remaining retiral benefits, to release the same within a period of next 30 days.

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* as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

5. However, if petitioner still feels aggrieved by any order of the aforesaid authority, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

MAY 04, 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>