

**CWP No. 12215 of 2018
DECIDED ON: MAY 15, 2018**

JOGINDER PAL VERMA

....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.L. Verma, 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 of mandamus directing the respondents to release the retiral benefits such as gratuity, GIS and commutation of pension alongwith interest @ 18% per annum on the delayed payment thereof.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on attaining the age of superannuation on 28.02.2017. Though, the pension, GPF and leave encashment has since been released/disbursed to the petitioner yet other retiral dues i.e. Gratuity, GIS and commutation of pension have not so far been released to him. He further submits that neither any departmental inquiry nor any judicial proceeding is/was pending against the

petitioner. Even, legal notice dated 30.01.2018 (P-1) was duly served upon the respondents but till date neither any response has been received nor any conscious decision has been taken. He further submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice (P-1) 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 legal notice dated 30.01.2018 (P-1) 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 Instructions No.1/2(152) 01-2 FR II dated 20.02.2002 issued by the Government.

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

MAY 15, 2018
sham

(JASPAL SINGH)
JUDGE

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