

**CWP No. 12827 of 2018
DECIDED ON: MAY 21, 2018**

JASVIR SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sukhdev S. Kanwal, 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 him all the retiral benefits such as pension, commuted pension, gratuity and GPF etc. alongwith interest @18% per annum on the delayed payment of various retiral benefits.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on attaining the age of superannuation on 31.08.2017. Though, the leave encashment has since been released/disbursed to the petitioner yet other retiral dues i.e. pension, commuted pension, gratuity and GPF etc. 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 either at the time of retirement or at present. Even, the service of legal notice dated

dated 27.01.2018 (P-4) did not fetch any reply. At this juncture, learned counsel for the petitioner submits that petitioner feels satisfied in case a direction is issued to respondents 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 respondents to look into the grievances unfolded by the petitioner in the legal notice dated 27.01.2018 (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 calculate and release the same within a period of next 45 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 other remedies available to him under law as well as to approach this Court.

MAY 21, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*