

**CWP No.13055 of 2018
DECIDED ON: MAY 22, 2018**

GURVINDER SINGH

....PETITIONER

VERSUS

STATE OF PUNJAB & OTHERS

....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 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 retiral benefits such as leave encashment, gratuity, GPF, arrears of salary and pension along-with arrears thereof, as well as interest on the delayed payment(s) thereof.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on attaining the age of superannuation on 01.2.2018 after getting one year extension in service but till date no benefit has been released/disbursed 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 his retirement or at present. Petitioner moved representation dated 16.03.2018 (P-3)

but till date neither any conscious decision has been taken nor benefits have been released to him. He further submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said representation (P-3) 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 his representation dated 16.03.2018 (P-3) 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 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 22, 2018
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(JASPAL SINGH)
JUDGE

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