

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.131

Civil Writ Petition No.14102 of 2018
DECIDED ON: May 30, 2018

RAHUL

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Madan Pal, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to release his retiral benefits i.e. GPF, Leave Encashment, Financial Assistance, DCRG etc. along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that though a legal notice dated 26.04.2018 (P-5) was made to the respondents but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents thereon. He further submits that he feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice (P-5), in a time bound manner.

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3. Instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioner in the legal notice dated 26.04.2018 (P-5) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice (P-5), within a period of two months from the date of receipt of a certified copy of this order. In case, competent authorities 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. Factum of interest 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 and Instructions No.1/2(152) 01-2 FR II dated 20.02.2002 issued by the Government of Haryana, be also considered on delayed payment(s).

4. 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 the other remedies available under law as well as to approach this Court.

May 30, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**