

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Sr. No.152

Civil Writ Petition No.14257 of 2018  
DECIDED ON: May 30, 2018

**Nirmal Singh**

**...Petitioner**

**VERSUS**

**State of Punjab and others**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Ishan Sharma, Advocate,  
for the petitioner.

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**JASPAL SINGH, J. (ORAL)**

Petitioner-Nirmal Singh, preferred instant civil writ petition, under Articles 226/227 of the Constitution of India, seeking issuance of a writ particularly in the nature of Mandamus directing the respondents to release the amount of Gratuity, Leave encashment, balance amount of CPF, arrears of DA & ACP and balance salary for the months of December 2017 and January 2018 which has been wrongly withheld and declined to the petitioner being illegal, unjust and arbitrary in view of Punjab Government Scale as well as Guru Nanak Dev University instructions alongwith interest @ 18% per annum.

2. Learned counsel for the petitioner contends that petitioner stood retired on 31.01.2018 on attaining the age of superannuation.

Petitioner served representation dated 27.02.2018 (P-8) and legal notice

dated 02.04.2018 (P-9) to the respondents but no response has been received till date. He feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice dated 02.04.2018 (P-9) in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.2-Director of Public Instructions (College), Punjab, SAS Nagar, Mohali to consider the grievances unfolded by the petitioner in the legal notice dated 02.04.2018 (P-9) and to take a conscious decision by passing a speaking order as per rules, regulations and instructions issued by the Government from time to time, within a period of two months from the date of receipt of a certified copy of this order. In case, respondents comes to the conclusion that petitioner is entitled to the interest 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.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, 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

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(JASPAL SINGH)  
JUDGE

Whether speaking/reasoned  
Whether reportable

Yes  
Yes/No