

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.15937 OF 2018
DECIDED ON: JULY 04, 2018

KAMIKAR SINGH DEOL

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Anupam Singla, Advocate,
for the petitioner.

JASPAL SINGH, J.

Through 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 like pension, GPF, leave encashment, gratuity etc. along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that petitioner stood retired on 28.02.2017 as Sub Divisional Officer from Irrigation Department, Punjab. He further submits that neither any disciplinary nor any criminal proceeding is pending against the petitioner at the time of retirement or at present. Despite the fact that petitioner stood retired from service on 28.02.2017 and a period of approximately 1 and half year has elapsed after his retirement, the retiral benefits have not been released to him. Even, petitioner moved representations dated 16.04.2018 (P-1 to P-3) before the respondents, but till

date neither any response has been received nor any decision has been taken thereon. He further submits that petitioner feels satisfied in case direction is issued to respondents to consider and decide representations (P-1 to P-3) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent(s) to consider the case unfolded by the petitioner in representations (P-1 to P-3) and to take a conscious decision within a period of two months from the date of receipt of certified copy of this order. If there is no impediment, to release the benefits accrued to the petitioner on account of his retirement within a period of next 45 days.

4. The respondents are also directed to consider the case of the petitioner for the grant of interest on delayed payment 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 approach this Court or to have recourse to the other remedies available under law.

JULY 04, 2018
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(JASPAL SINGH)
JUDGE

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