

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

Sr. No.126

Civil Writ Petition No.16001 of 2018
DECIDED ON: July 05, 2018

KASTURI LAL

..PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Petitioner-Kasturi Lal preferred instant civil writ petition under Articles 226/227 of the Constitution of India, for issuance of a writ especially in the nature of Mandamus directing the respondents to release gratuity amount on the revised rates i.e. from Rs.3.5 lacs to Rs.10 lacs along with interest @ 12% per annum, in view of Punjab Govt. Circular No.3/23/09-3FPPC-879 dated 17.08.2009 (P-2) and subsequent letter No.3/10/10-3FPPC-635 dated 26.05.2010 and another letter No.3/10/10-3FPPC-965 dated 13.08.2010 (P-3 & P-4) as well as in view of law laid down by this Court rendered in CWP No.15363 of 2011, captioned as *Nathu Ram & ors. vs. State of Punjab & ors.*, decided on 31.10.2014 (P-5) and to decide the legal notice dated 11.02.2018 (P-8) WITH FURTHER direction to release arrears of pay revision pursuant to revised pay scales on the basis of recommendations of 5th Punjab Pay Commission, which has been released to other colleagues of the petitioner working in the same department.

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2. Learned counsel for the petitioner contends that though a legal notice was made to the respondent No.2 on 11.02.2018 (P-8) but till date neither any response to the said legal notice has been received nor any final order has been passed by the concerned Department. He further submits that he feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice (P-8) in light of the Circulars and judgment referred to above in para no.1 of this order, within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated 11.02.2018 (P-8) and to take a conscious decision by passing a speaking order particularly in the light of the Circulars (P-2 to P-4) and judgment (P-5) referred to above in para no.1 of this order, within a period of three months from the date of receipt of a certified copy of this order.

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

July 05, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**