

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

Sr. No.140

Civil Writ Petition No.16370 of 2018
DECIDED ON: July 09, 2018

ASHWANI KUMAR SHARMA

..PETITIONER

VERSUS

**PUNJAB STATE POWER CORPORATION LIMITED AND
OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sunil Mallan, Advocate for
Mr. Inderjit Sharma, 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 the retiral benefits such as gratuity along with other consequential benefits as admissible to him along with interest on the delayed payment of retiral benefits.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on 30.11.2017 as A.E.E. (S&T) on attaining the age of superannuation. Neither any judicial nor any departmental proceedings is pending against him either on the date of his retirement or at present. Despite a period of seven months have elapsed after the retirement of the petitioner but till date retiral benefits have not been released to him. Even

Civil Writ Petition No.16370 of 2018

representations dated 25.04.2018 and 26.06.2018 (P-1 & P-2) were made to the respondent No.2 but did not fetch any reply. He feels satisfied in case a direction is issued to respondents to decide the latest representation dated 26.06.2018 (P-2) in a time bound manner.

3. Instant petition is disposed of with a direction to the respondents to consider the grievances unfolded by the petitioner in the representation dated 26.06.2018 (P-2) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representation (P-2), 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.1/15/90IFPIII/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 remedies available under law as well as to approach this Court.

July 09, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**