

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.16683 OF 2018
DECIDED ON: JULY 11, 2018

KEHAR SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashutosh Kaushik, 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 all the retiral benefits i.e. GIS, leave encashment, gratuity etc. along with interest @ 18% per annum from the date of retirement till date of payment.

2. Learned counsel for the petitioner contends that petitioner stood retired on 30.11.2017 on attaining the age of superannuation but till date the retiral benefits have not been released to the petitioner. He further submits that neither any disciplinary nor any criminal proceeding is pending against the petitioner at the time of retirement or at present. Even, petitioner moved representation dated 25.02.2018 (P-2) followed by legal notice dated 26.03.2018 (P-3), 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 legal notice (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 legal notice (P-3) and to take a conscious decision within a period of three months from the date of receipt of certified copy of this order. If there is no impediment, to calculate and disburse 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 the light of Govt. of Haryana Instructions No.1/2(152)01-2FRII, dated 20.02.2002.

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 11, 2018
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(JASPAL SINGH)
JUDGE

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