

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.16719 OF 2018
DECIDED ON: JULY 11, 2018

SANJEEV KUMAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajeev Dev Sharma, 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 pay the complete retiral benefits i.e. leave encashment, gratuity, GPF and arrears along with interest.

2. Learned counsel for the petitioner contends that petitioner stood retired on 28.02.2018 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 16.04.2018 (P-2), 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 respondent No.4 to

consider and decide representation (P-2) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.4-Commissioner, Municipal Corporation, Pathankot to consider the case unfolded by the petitioner in representation (P-2) 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 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 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>