

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

Sr. No.133

Civil Writ Petition No.17006 of 2018
DECIDED ON: July 13, 2018

KULJIT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Raman Goklaney, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the official respondents to release the full and final retiral benefits such as Gratuity, Leave Encashment, Arrears of salary etc. raised in legal notice dated 08.06.2018 (P-4) payable to him on retirement from the services of respondent No.5 – Society on 31.03.2018 along with interest.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on 31.03.2018 on attaining the age of superannuation. Neither any judicial nor any departmental proceeding is pending against him. He further submits that petitioner feels satisfied in case a direction is issued to respondents to decide the legal notice dated 08.06.2018 (P-4), in a time bound manner.

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3. Instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioner in the legal notice dated 08.06.2018 (P-4) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice (P-4), within a period of three months from the date of receipt of a certified copy of this order. If there is no legal impediment, to calculate and release the same within 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 and/or to approach this Court.

July 13, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No