

CWP No.18282 of 2018
DECIDED ON: JULY 26, 2018

HAWA SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.L. Verma, 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 respondents to release the balance gratuity along-with interest @18% per annum.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on 31.03.2014 on attaining the age of superannuation. Though, his pension and other pensionary benefits have been released but despite the fact that there is no departmental inquiry or judicial proceedings pending against the petitioner either at the time of retirement or at present the balance amount of gratuity i.e. ₹3,21,024/- has not been released so far. Even, legal notice dated 15.05.2018 (Annexure P-2) duly served upon the respondents did not fetch any reply nor the amount has been released to the petitioner till date. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice, within a stipulated period.

3. Accordingly, the instant petition is disposed of with the direction to respondent(s) to consider the case of the petitioner unfolded in his legal notice dated 15.05.2018 (Annexure P-2) within a period of two months from the date of receipt of certified copy of this order. In case the authority comes to the conclusion that petitioner is entitled to the relief set out in the legal notice, to calculate the same and release the payment thereof, within a period of next one month.

4. However, if the petitioner still feels aggrieved against any of the order(s) passed by the concerned authority, he shall be at liberty to have recourse to other remedies available under law including to approach this Court.

JULY 26, 2018
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(JASPAL SINGH)
JUDGE

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