

**CWP No. 18740 of 2018
DECIDED ON: JULY 31, 2018**

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.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. H.S. Dhindsa, 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 him the retiral benefits accrued to him on account of his superannuation along-with interest @18% per annum on the delayed payments thereof.

2. Learned counsel for the petitioner contends that only a sum of ₹1,00,000/- has been paid to the petitioner towards retiral benefits and all other remaining retiral benefits i.e. gratuity, leave encashment, provident fund and pension have not so far been released to him despite the fact that petitioner stood retired on 31.03.2018. Even, service of legal notice dated 10.05.2018 (P-2) upon the respondents did not fetch any reply. At this juncture, learned counsel for the petitioner submits that he feels satisfied in case a direction is issued to respondents to decide the afore-said legal notice (P-2) in a time bound manner.

3. In view of above but without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents, to look into the grievances unfolded by the petitioner in the legal notice dated 10.05.2018 (P-2) and to take a conscious decision in accordance with law, rules and regulations within a period of three months from the date of receipt of a certified copy of this order. In case, competent authority comes to the conclusion that petitioner is entitled to the relief(s) set out in the legal notice (P-2), to release the same 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, 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 other remedies available under the law including to approach this Court.

JULY 31, 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>