

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.19495 OF 2018
DECIDED ON: AUGUST 07, 2018

JAGGA SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Goklaney, 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 especially in the nature of mandamus directing the respondents to release the remaining amount of pensionary benefits i.e. Rs.1,01,056/- to the petitioner along with interest.

2. The contention of learned counsel for the petitioner is that though Municipal Council, Ferozepur has already paid the arrears of pensionary benefits to the petitioner for the service rendered by him in Municipal Council, Ferozepur, however, an amount of Rs.1,01,056/- is payable by respondent No.5- Punjab Water Supply & Sewerage Division, Ferozepur. This fact is evident from letter dated 30.04.2018 (P-4) issued by Deputy Controller (Finance & Accounts). He further contends that even legal notice dated 03.04.2018 (P-3) served upon respondents No.2, 3 and 5 neither fetch any reply nor the aforesaid

amount of Rs.1,01,056/- has been disbursed to the petitioner till date.

3. Learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice (P-3), within a stipulated period.

4. Instant petition is disposed of with a direction to respondent(s) to consider the claim put forth by the petitioner in legal notice (P-3) and to take a final decision, within a period of two months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the relief claimed, to calculate and make the payment within a period of next one month.

5. As far as grant of interest on delayed payment is concerned that shall also be considered in view of Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

6. 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 the remedies available under law as well as to approach this Court.

AUGUST 07, 2018
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(JASPAL SINGH)
JUDGE

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