

**CWP No. 19624 of 2018
DECIDED ON: AUGUST 08, 2018**

TARSEM LAL

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.K. Bansal, 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 remaining gratuity, leave encashment, provident fund etc. to him along-with interest @18% per annum.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on 30.04.2018. He further submits that only an amount of ₹5,00,000/- has been paid to the petitioner on account of his retirement. He further submits that neither any departmental inquiry nor any judicial proceeding is/was pending against the petitioner either at the time of his retirement or at present. Petitioner constrained to serve legal notice dated 17.07.2018 (P-2) but till date neither any reply to the said notice has been

received nor any conscious decision has been taken. At this juncture, learned counsel for the petitioner submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice (P-2) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated 17.07.2018 (P-2) and to decide the same in accordance with law, rules and regulations, within a period of three months from the date of receipt of certified copy of this order. If there is no impediment in granting the retiral benefits, to calculate and release the same within a period of next 45 days.

4. However, respondents are also directed to consider the case of the petitioner for the grant of interest in view of judgment passed by Full Bench of this Court in the case of *“A.S Randhawa v. State of Punjab and others; 1997 (3) SCT 468* as well as 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 have recourse to other remedies available under law as well as to approach this Court.

AUGUST 08, 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>