

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.19909 OF 2018
DECIDED ON: AUGUST 10, 2018

JAGNANDAN SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rishabh Gupta, 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 in the nature of mandamus directing the respondent-authorities to release the full amount of pension, gratuity, arrears of revised grade pay, DA arrears along with other admissible dues with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that petitioner stood retired on 31.03.2010 on attaining the age of superannuation but till date the retiral benefits i.e. pension, gratuity, arrears of revised grade pay, DA arrears etc. have not been released to the petitioner. He further submits that petitioner served legal notice dated 01.03.2018 (P-6), but till date neither any response has been received nor any decision has been taken thereon. He further submits that petitioner feels satisfied in case direction is issued to respondents to consider and decide legal notice (P-6) within a stipulated period.

4. Accordingly, instant petition is disposed of with a direction to respondent(s) to consider the case unfolded by the petitioner in legal notice (P-6) and to take a conscious decision within a period of three months from the date of receipt of certified copy of this order. If the concerned authority comes to the conclusion that petitioner is entitled to the relief claimed through legal notice, to calculate and disburse the benefits accrued to the petitioner on account of his retirement within a period of next 45 days.

5. The respondents are also directed to consider the case of the petitioner for the grant of interest on delayed payment in the light of Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

6. However, if petitioner still feels aggrieved by any order of the aforesaid authority, he shall be at liberty to approach this Court or to have recourse to the other remedies available under law.

AUGUST 10, 2018

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Whether speaking/reasoned* *Yes

Whether reportable* *Yes/No

**(JASPAL SINGH)
JUDGE**