

**CWP No. 21378 of 2018
DECIDED ON: AUGUST 27, 2018**

PARKASH CHAND

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Anil 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 decide the legal notice dated 05.05.2018 (P-1)

2. The contention of learned counsel for the petitioner that petitioner stood retired on 30.06.2017 as Safai Sewak after serving the respondents for more than 40 years but till date nothing has been paid to him. Constrained with the inaction on the part of the respondents, petitioner moved representation to respondent No.1 on May 05, 2018 (P-1) but till date neither any reply to the said representation has been received nor the benefits accrued to him on account of his retirement have been disbursed to him. At this juncture, he submits that he feels satisfied in case a direction is issued to respondent No.1 to decide his representation dated May 05, 2018 (P-1) in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in his representation dated May 05, 2018 (P-1) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representation 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) claimed, same be released to him 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) as well as instructions bearing No. 1/15/90-IFPIII/4226, dated May 10, 1990 issued by the Department of Finance, Government of Punjab.

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.

AUGUST 27, 2018
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No