

**CWP No.21851 of 2018
DECIDED ON: AUGUST 30, 2018**

RAM SEWAK

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Aggarwal, 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 the retiral benefits to him along-with interest.

2. Learned counsel for the petitioner contends that petitioner stood retired on 31.07.2017 on attaining the age of superannuation but despite the fact that a period of more than one year has elapsed nothing has been paid to him. He further submits that neither any departmental nor any judicial proceeding was either pending against him at the time of his retirement or subsequent thereto. Even, representation dated 23.04.2018 moved to respondent No.2 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 respondent No.2 to consider and decide the afore-said representation in a time bound manner.

3. Instant petition is disposed of with a direction to respondents No.2 to look into the grievances unfolded by the petitioner in his representation dated 23.04.2018 (which is mentioned as Annexure P-2 in the index but it is Annexure 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 one month. 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.

AUGUST 30, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No