

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.22194 OF 2018
DECIDED ON: SEPTEMBER 04, 2018

SWINDER SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rakesh Kumar, Advocate,
for the petitioner.

JASPAL SINGH, J.

By virtue of 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 respondents to release the service benefits, pensionary benefits along with arrears. AND further to decide representation dated 14.08.2018 (P-3) and to release all the arrears of service and pending benefits along with interest @ 18%.

2. Learned counsel for the petitioner contends that the petitioner stood retired on 28.02.2017 but till date the pensionary benefits/service benefits have not been released to him despite the fact that there is no departmental inquiry or judicial proceedings pending against the petitioner. Even, representation dated 14.08.2018 (Annexure P-3) was moved to the respondents but it did not fetch any reply nor benefits have been released to the petitioner. He further submits

that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid representation, within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent(s) to consider the claim of the petitioner put forth by him in representation (P-3) 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, to release the same within a period of next 45 days.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as “*R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318* as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

5. However, if the petitioner still feels aggrieved against any of the order passed by the concerned authority, he shall be at liberty to approach this Court as well as to have recourse to the other remedies available under law.

SEPTEMBER 04, 2018
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(JASPAL SINGH)
JUDGE

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