

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.22244 OF 2018
DECIDED ON: SEPTEMBER 04, 2018

GURTEJ SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND ANR.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Navneet Kaur Sran, 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 pension along with arrears from the date of retirement i.e. 30.04.2014 till date sanctioned as per Government order, Chandigarh dated 25.04.2018 vide endorsement No.26/125/2015-Forest 2(1)/1229306/2 Chandigarh dated 04.05.2018 (P-1) in a time bound manner as per Punjab Government Policy/Instructions/Rules (P-2).

2. At the very outset, learned counsel for the petitioner contends that though the petitioner stood retired on 30.04.2014 on attaining the age of superannuation but till date the pensionary benefits have not been released to the petitioner. Even, petitioner moved representations dated 09.05.2018 and 05.07.2018 to the respondents followed by legal notice dated 03.08.2018 but it

till date neither any response has been received nor any conscious decision has been taken. He further submits that petitioner feels satisfied in case direction is issued to respondents to decide legal notice (5), within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondents to consider the claim of the petitioner put forth by him in legal notice (P-5) and to take a conscious decision, within a period of three months from the date of receipt of certified copy of this order. If, there is no legal impediment, to make the payment 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>