

111 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 2237 of 2018
DECIDED ON: FEBRUARY 02, 2018**

NAROTAM DEV SHARMA

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTIC JASPAL SINGH

Present: Mr. Deepak Sonak, Advocate
 for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to release him the amount of gratuity i.e. ₹71429/-, which has been withheld by the respondents without any reason.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on attaining the age of superannuation on November 30, 2014 but till date retiral benefits has not so far been released to him by the respondents. Earlier also, to challenge the order dated September 17, 2012 petitioner has to approach this Court by way of filing of CWP No. 19131 of 2012, which was allowed vide order dated April 20, 2017 and the afore-said order was set aside. However, respondents were granted the liberty that if they intend to initiate any action, they should serve a show cause notice and then to proceed to pass final

order while considering the facts and circumstances as well as contentions raised by the petitioner but till date no such show cause notice has been issued. Constrained with the non release of retiral benefits, petitioner served notice for demand of justice dated November 21, 2017 (P-5) upon the respondents calling upon them to release the benefits along-with interest. Despite the fact that a period of more than two months has expired, nothing has been done. Petitioner feels satisfied in case a direction is issued to respondent No.3 to consider and decide the notice (P-5) within a time bound manner.

3. In view of the facts narrated above, instant petition is disposed of with a direction to respondent No.3 to look into the grievances unfolded by the petitioner in the notice (P-5) and to take a conscious decision in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order. In case any adverse order is to be passed to pass a speaking order and in that event, petitioner shall be at liberty to have recourse to the other remedies available to him under law.

FEBRUARY 02, 2018
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(JASPAL SINGH)
JUDGE

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