

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.22674 OF 2018
DECIDED ON: SEPTEMBER 07, 2018

LAL SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amandeep Saini, Advocate,
for the petitioner.

JASPAL SINGH, J.

Through instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus directing the respondents to release all the retiral benefits i.e. pension, leave encashment, gratuity etc. along with interest @ 18% per annum in view of govt. instructions dated 07.08.2014 (P-4).

2. Learned counsel for the petitioner contends that petitioner stood retired on 31.01.2018 as Patwari but till date the retiral benefits have not been released to the petitioner. He further submits that neither any disciplinary inquiry nor any judicial proceeding is pending against the petitioner at the time of retirement or at present. Even, petitioner served legal notice dated 19.06.2018 (P-3) but till date neither any response has been received nor any decision has been taken thereon. He further submits that petitioner feels satisfied in case

direction is issued to respondents to decide legal notice (P-3) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent(s) to consider the case unfolded by the petitioner in legal notice (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 there is no impediment, to calculate and disburse the benefits accrued to the petitioner on account of his retirement within a period of next 45 days.

4. The respondents are also directed to consider the case of the petitioner for the grant of interest on delayed payment in the light of Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990 as well as No.3/16/2014-3FPPC/1359, dated 07.08.2014 (P-4).

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

SEPTEMBER 07, 2018
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(JASPAL SINGH)
JUDGE

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