

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

Sr. No.153

Civil Writ Petition No.23699 of 2018
DECIDED ON: September 17, 2018

RANJIT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Charanpal Singh Bagri, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to release/disburse his gratuity, PF, Leave Encashment and other retirement benefits from the date of his retirement i.e. 31.03.2017, assess and sanction regular monthly pension and further to grant along with interest.

2. Learned counsel for the petitioner contends that petitioner stood retired on 31.03.2017 on attaining the age of superannuation. Neither any judicial proceeding nor any departmental enquiry is pending against him. The petitioner being aggrieved of the non-disbursal of his retirement benefits was constrained to serve a legal notice upon the respondents on 16.06.2018 (P-7), but till date no response has been received. He further

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submits that he feels satisfied in case a direction is issued to respondents to decide the legal notice dated 16.06.2018 (P-7), in a time bound manner.

3. Instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioner in the legal notice dated 16.06.2018 (P-7) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice, within a period of four months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next 45 days. 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 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, 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 approach this Court.

September 17, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**