

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24043 OF 2018
DECIDED ON: SEPTEMBER 20, 2018

PRITHVI PAL SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sushma Chopra , 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 retiral gratuity for the service rendered by him in respondent-department along with 18% interest from the due date.

2. At the very outset, learned counsel for the petitioner contends that though legal notice dated 17.02.2018 (P-3) was duly served upon the respondents 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 aforesaid legal notice, 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-3) and to take a conscious decision, within a period of two 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 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 20, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*
Whether reportable *Yes/No*