

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24992 OF 2018
DECIDED ON: SEPTEMBER 28, 2018

SHAM LAL

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. PKS Phoolka, 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 the payment of GPF, gratuity, GIS and interest on delayed payment of pension and other retiral benefits.

2. Learned counsel for the petitioner contends that petitioner stood retired on 30.09.2017 but till date the aforesaid 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 28.08.2018 (P-1) but till date no conscious decision has been taken thereon. He further submits that petitioner feels satisfied in case direction is issued to respondents to decide legal

notice (P-1) 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-1) and to take a conscious decision within a period of two months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the relief claimed, to release the same within a period of next 45 days. 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).

4. 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 28, 2018
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(JASPAL SINGH)
JUDGE

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