

CWP No. 2641 of 2018

DECIDED ON: FEBRUARY 06, 2018

KARTAR

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Shalender Mohan, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 and 227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to release all the retiral benefits i.e. gratuity, computation of pension, final pension to him along-with interest @18% per annum on the delayed payment(s).

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on attaining the age of superannuation on May 31, 2017. A criminal case bearing FIR No. 0171, dated 04.05.2016 registered at Police Station Hansi Sadar was pending against the petitioner with regard to that criminal case an inquiry was conducted, in which petitioner was discharged vide inquiry report dated May 11, 2017 i.e. before the date of retirement of the petitioner. Petitioner constrained to serve a legal notice dated August 24, 2017

(P-3) upon the respondents, which also did not fetch any reply. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice (P-3) within a time bound manner.

3. In view of afore-said facts and circumstances, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice (P-3) and to decide the same 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 the authority comes to the conclusion that petitioner is not entitled to the relief so claimed through the legal notice, 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 06, 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>