

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.2813 OF 2018
DECIDED ON: FEBRUARY 08, 2018

BHAGAT RAM

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. MJS Bedi, 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 pay the retirement benefits including gratuity, leave encashment, provident fund, pensionary benefits, medical benefits and other benefits along with interest @ 18% per annum due from the date of retirement i.e. 30.04.2017.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired from service on 30.04.2017 on attaining the age of superannuation but till date the retiral benefits have not been released to him, which constrained the petitioner to serve legal notice dated 12.12.2017 (Annexure P-2), but 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 respondent No.4 to deal with legal notice and to take conscious decision, within a stipulated period.

3. Without expressing any opinion on the merits of the case, the instant petition is disposed of with the direction to respondent No.4-Executive Officer, Municipal Council, Rampura Phul, District Bathinda, Punjab to look into the grievances unfolded by the petitioner in legal notice dated 12.12.2017 (Annexure P-2) and to decide the same, within a period of 1½ month from the date of receipt of certified copy of this order. If there is no impediment, to release the benefits 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 observations made by Full Bench of this Court in case captioned as “*R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318* as well as 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(s) 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 to him under law.

FEBRUARY 08, 2018
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(JASPAL SINGH)
JUDGE

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