

CWP No.3641 of 2018

DECIDED ON: FEBRUARY 16, 2018

ARUN KUMAR KATARIA

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sameer Sachdeva, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to release the sanctioned amount of gratuity along-with interest @18% per annum.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on attaining the age of superannuation on April 30, 2013. The amount of gratuity accrued to the petitioner was withheld by the respondents on account of disciplinary proceedings pending against him. However, petitioner was granted the benefit of promotions in the year 2004 and 2013 meaning therefore the charges against the petitioner deemed to have been dropped. However, at juncture petitioner feels satisfied in case a direction is issued to respondents to consider and decide the legal notice dated October 18, 2017 (P-14) within a time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice (P-14) and to take a conscious decision in accordance with law within a period of three months from the date of receipt of certified copy of this order. In case any adverse order is to be passed, to pass a speaking order and in that event, petitioner shall be at liberty to have recourse to the remedies available to him under the law.

February 16, 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>