

**110 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH**

**CWP No. 3742 of 2018
DECIDED ON: FEBRUARY 17, 2018**

SURJIT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sarvpreet S. Gurna, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the respondents to release the petitioner arrears of pension w.e.f 01.12.2011 to 31.03.2015, the period for which his pension was withheld on account of a technicality before restoration of the same on 01.04.2015 along-with interest @18% per annum.

2. The contention of learned counsel for the petitioner is that petitioner has been continuously/regularly paid pension till November 30, 2011 but subsequent thereto, it was stopped on account of the reason that 'life certificate' has not been submitted by him with the State Bank of Patiala now State Bank of India, which is obliged to process the pension case of the petitioner. However,

the life certificate was submitted by the petitioner on February 21, 2015. Upon which pension stood restored vide order dated 01.04.2015. Accordingly, the matter was intimated to the Treasury Officer, Faridkot, who has issued a memo dated April 09, 2015 to the Manager, State Bank of India for the release of the pension w.e.f April 01, 2015 and to calculate the arrears w.e.f. December 01, 2011 to March 31, 2015 but till date the arrears has not been released as the office of respondent No.5 is sitting over the matter and has not been taken a final decision on approval thereof.

3. In the afore-said facts and circumstances, this Court is of the considered view that it would be apt and proper to dispose of the instant petition with a direction to respondents particularly to the Accountant General (A&E), Punjab, Chandigarh to take a conscious decision with regard to the approval, as prayed for by the concerned authorities within a period of two months from the date of receipt of certified copy of this order. Further that if there is no impediment, to approve the same and send to the concerned authority for the disbursement of the claim of the petitioner. It would be appreciable, if the needful be done within 45 days after the necessary approval. Further, in case of passing of any adverse order by the Accountant General (A&E), Punjab or any other sought of non-compliance, petitioner shall be at liberty to have recourse to the remedies available under the law including to approach this Court.

February 17, 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>