

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

Sr. No.125

Civil Writ Petition No.4975 of 2018
DECIDED ON: March 01, 2018

RANJEET SINGH

..PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Chanderhas Yadav, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release the gratuity amount to the tune of Rs.9,68,110/- along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that petitioner stood retired on October 31, 2015 on attaining the age of superannuation, however, all other retiral benefits have been released to the petitioner except gratuity to the tune of Rs.9,68,110/-. Petitioner was constrained to serve a legal notice dated October 06, 2017 (P-6) to the respondents but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents. Further, he feels satisfied in case

Civil Writ Petition No.4975 of 2018

a direction is issued to respondents No.2 & 3 to decide the aforesaid legal notice dated October 06, 2017 (P-6) in a time bound manner.

3. Instant petition is disposed of with a direction to respondents No.2 & 3 to look into the grievances unfolded by the petitioner in the legal notice dated October 06, 2017 (P-6) and take a conscious decision by passing a speaking order as per rules, regulations and instructions issued by the Government from time to time, within a period of two months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him within a period of next one month. Factum of interest in view of judgment passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017 and Instructions No.1/2(152) 01-2 FR II dated 20.02.2002 issued by the Government of Haryana, be also considered on delayed payment(s). In case, non compliance of this order, petitioner shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

March 01, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**