

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

**CWP No.5047 OF 2018
DECIDED ON: MARCH 01, 2018**

B.D. SINGLA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Achin Gupta, 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 especially in the nature of mandamus, directing the respondents to release gratuity, leave encashment and balance amount of provident fund to him along with interest @ 18% p.a. from the date it became due till its realization.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on 31.10.2017 as Superintending Engineer but till date all the retiral benefits have not been released to him. Even, petitioner moved representation(s) dated 19.12.2017 (Annexure P-1) but neither it fetch any reply nor benefits have been given to him till date. He further submits that petitioner feels satisfied in case direction is issued to respondents, to decide aforesaid representation, 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(s), to look into the grievances unfolded by the petitioner in representation dated 19.12.2017 (Annexure P-1) and take a conscious decision in accordance with law and rules, within a period of three months from the date of receipt of certified copy of this order. If there is no legal impediment, to disburse 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 have recourse to the other remedies as well as to approach this Court.

MARCH 01, 2018
sonika

(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>