

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.5071 OF 2018
DECIDED ON: MARCH 01, 2018

FAQIR CHAND

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikas Garg, 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 pay/release the GPF, leave encashment, gratuity etc. and all other retiral benefits along with 18% interest.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on 30.06.2017 on attaining the age of superannuation but till date the retiral benefits have not been released to him. Even, petitioner served a legal notice dated 05.02.2018 (Annexure P-1) upon the respondents but till date no response has been received. He further submits that petitioner feels satisfied in case direction is issued to respondent(s), to decide aforesaid legal notice, 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 legal notice dated 05.02.2018 (Annexure P-1) and take a conscious decision, 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
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(JASPAL SINGH)
JUDGE

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