

**CWP No. 5151 of 2018
DECIDED ON: MARCH 13, 2018**

BHUPINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Aggarwal, 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 his retiral benefits along-with interest.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on attaining the age of superannuation on November 30, 2016. Though, no departmental or judicial proceeding is/was pending against the petitioner either on the date of his retirement or subsequent thereto, but till date nothing has been paid to him. Petitioner also moved a representation dated November 21, 2017 (P-2) as well as another representation dated December 28, 2017 (P-3) seeking release of his retiral benefits but till date no action has been taken. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the representations (P-2 and P-3) within a time bound manner.

3. In view of above facts and circumstances, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in his representations dated November 21, 2017 (P-2) and December 28, 2017 (P-3) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representations within a period of three months from the date of receipt of a certified copy of this order. In case, competent authority comes to the conclusion that petitioner is entitled to the relief(s) claimed through his representations, to calculate and release the same within a period of next 45 days. 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 also in view of instructions bearing No. 1/15/90-IFPIII/4226, dated May 10, 1990 issued by the Department of Finance, Government of Punjab, be also considered on delayed payment(s).

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to approach this Court.

MARCH 13, 2018

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(JASPAL SINGH)

JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*