

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

**CWP No.5218 OF 2018
DECIDED ON: MARCH 26, 2018**

DEVINDER SINGH

.....PETITIONER

VERSUS

**HARYANA URBAN DEVELOPMENT
AUTHORITY, HUDA, PANCHKULA
AND ANOTHER**

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sunil K. Nehra, Advocate,
for the petitioner.

JASPAL SINGH, J. (Oral)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to release the pensionary benefits of the petitioner which have not been released to him till date.

2. The contention of learned counsel for the petitioner is that the petitioner sought voluntary retirement, which was allowed w.e.f. 10.08.2017 (A.N.). Subsequent thereto, no dues certificate was issued to him by the Estate Officer, HUDA Jind vide memo No.3588 dated 12.09.2017 (Annexure P-4) but till date none of the retiral benefits has been released. Constrained from the inaction of the respondents in not disbursing the retiral benefits, the petitioner got issued legal notice dated 08.02.2018 (Annexure P-5) but till date neither any

response has been received nor any action has been taken thereon. He submits that petitioner feels satisfied in case direction is issued to the respondents to decide aforesaid legal notice within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to the respondents to consider the claim of the petitioner as unfolded in the legal notice dated 08.02.2018 (Annexure P-5) within a period of three months from the date of receipt of certified copy of this order. If there is no impediment in releasing the benefits, to calculate the same and make the payment 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 Govt. of Haryana Instructions No.1/2(152)01-2FRIL, dated 20.02.2002.

5. However, if the petitioner still feels aggrieved against the order passed by the respondents, he shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

MARCH 26, 2018
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(JASPAL SINGH)
JUDGE

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