

**CWP No. 5582 of 2018
DECIDED ON: MARCH 08, 2018**

PREM CHAND SHARMA

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Johan Kumar, 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 all the retiral benefits i.e. pension, provident fund, leave encashment, gratuity and other services benefits to him along-with interest @18% per annum with further direction to decide the representation dated January 08, 2018 (P-11).

2. The contention of learned counsel for the petitioner is that petitioner stood retired on attaining the age of superannuation on November 30, 2017. Despite the fact that a period of more than three months has expired but till date nothing has been paid to the petitioner. In fact, petitioner moved a representation dated January 08, 2018 (P-11), which also did not fetch any response. He further submits that he feels satisfied in case a direction is issued

to respondents to decide the representation (P-11) within some time bound manner.

3. In view of the afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the representation (P-11) and to decide the same in accordance with law, rules and regulations within a period of two months from the date of receipt of certified copy of this order. In case respondents came to the conclusion that petitioner is entitled to the relief(s) claimed through the representation, to calculate and disbursed the same to him within 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 *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as Instructions No.1/2(152) 01-2 FR II, dated February 20, 2002 issued by the Government of Haryana.

5. However, if the petitioner still feels aggrieved, she shall be at liberty to have recourse to the remedies available under law including to approach this Court.

MARCH 08, 2018
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(JASPAL SINGH)
JUDGE

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