

CWP No.6266 of 2018

DECIDED ON: MARCH 14, 2018

AMARJIT

.....PETITIONER

VERSUS

PSPCL AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pankaj Sharma, Advocate
for the petitioner.JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release all the retiral benefits i.e. commuted pension, gratuity, leave encashment, and full pension in place of provisional pension accrued to him on account of his retirement along-with interest @18% p.a. from the date it became due till its actual realization.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on attaining the age of superannuation on May 31, 2017 but despite the fact that no departmental inquiry or judicial proceeding is/was pending against the petitioner at the time of his retirement, nothing has been paid to him. He further submits that a representation/letter dated March 01, 2018 (P-5) submitted to the respondents, also did not fetch any reply. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents to decide the representation/letter dated March 01, 2018 (P-5) in a time bound manner.

3. 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/letter dated March 01, 2018 (P-5) and to take a conscious decision in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order. In case, competent authorities come to the conclusion that petitioner is entitled to the relief(s) claimed, to calculate and release the same within a period of next 45 days. Factum of interest shall also be considered 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, on delayed payment(s) of retiral dues.

5. However, if petitioner still feels aggrieved by any inaction of the concerned authorities, he shall be at liberty to have recourse to the other remedies available to him under law including to approach this Court.

MARCH 14, 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>