

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

CWP No. 6292-2018

Date of decision : 14.03.2018

Harish Chander

...petitioner

Vs.

State of Haryana and others

...respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH.

Present: Mr. Munish Mittal, 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 the pension of the petitioner and to pay the arrear of pension to the petitioner along with 24% interest per annum.

2. Learned counsel for the petitioner contends that though the legal notice was made to the respondents on 13.02.2018 but till date neither any reply to the said legal notices has been received nor any final order has been passed by the respondents.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondents to decide the legal notice sent to the respondents on 13.02.2018 in a time bound manner.

4. Instant petition is disposed of with a direction to respondents

No.1 to 4 to look into the grievances unfolded by the petitioner in the legal notices and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notices within a period of two months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to him 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 and others, 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 and others* decided on 11.07.2017 and Instructions No. 1/2(152)01-2 FR II dated 20.02.2002, issued by the Government of Haryana, 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.

14.03.2018

Harish Kumar

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No