

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 6697 OF 2018
DECIDED ON: MARCH 19, 2018

PREM LAL

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. K.R. Dhawan, Advocate,
for the petitioner.

JASPAL SINGH, J.

Petitioner has preferred the instant petition under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature mandamus, directing the respondents to release all the retiral benefits to him with interest.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on 31.10.2017 as Inspector but till date no payment on account of retiral benefits has been made despite the fact that there is no departmental inquiry or judicial proceedings pending against the petitioner. Even, legal notice dated 22.02.2018 (Annexure P-4) was duly served upon the respondents but it did not fetch any reply nor benefits have been released to the petitioner. He further submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide aforesaid legal notice, within a stipulated period.

3. Accordingly, the instant petition is disposed of with the direction to

respondents particularly respondent No.3-Executive Officer, Nagar Council, Jalalabad (West) to consider the case of the petitioner unfolded in his legal notice dated 22.02.2018 (Annexure P-4) and take a conscious decision, within a period of three months from the date of receipt of certified copy of this order. If there is no legal impediment in releasing the benefits, to calculate and disburse the same within a period next 45 days. Respondents are further directed to pass a specific order with regard to non-grant of ACP increment as claimed by the petitioner in aforesaid legal notice.

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 Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

5. However, if the petitioner still feels aggrieved against any of the order(s) passed by the concerned authority, he shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

MARCH 19, 2018
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(JASPAL SINGH)
JUDGE

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