

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

Sr. No.111

Civil Writ Petition No.693 of 2018
DECIDED ON: March 14, 2018

BALWANT SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vivek 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 to him including leave encashment, PF, Gratuity, GIS etc. along with interest 18% per annum.

2. Learned counsel for the petitioner contends that petitioner submitted a request for pre mature retirement to respondent No.3 and same was to be effected from October 31, 2017. But till date, no retiral benefit has been granted to him. The petitioner being aggrieved of the non-disbursal of the said benefits was constrained to serve a representation upon the respondent No.3 on 19.07.2017 (P-1), but no response has been received so far. He further submits that he feels satisfied in case a direction is issued to respondent No.1 to decide the aforesaid representation in a time bound manner.

Civil Writ Petition No.693 of 2018

3. Instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in the representation dated 19.07.2017 (P-1) and to take a conscious decision by passing a speaking order, within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities come 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 & 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 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, be also considered on delayed payment(s).

4. 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.

March 14, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**