

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

**CWP No.8458 OF 2018
DECIDED ON: APRIL 05, 2018**

RANDHIR SINGH MALIK

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Pardeep Goyat, Advocate,
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to disburse the retiral benefits including death-cum-retirement gratuity (DCRG), commutation of pension, leave encashment etc. along with interest @ 12% p.a.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired as Deputy Director on 31.12.2017 on attaining the age of superannuation but till date the retiral benefits have not been disbursed to the petitioner. Even, petitioner moved representation (P-1) to the respondents but till date neither any response has been received nor any conscious decision has been taken thereon. He submits that petitioner feels satisfied in case direction is issued to respondents to decide aforesaid representation within a stipulated

period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondents to consider the case as setup by the petitioner in his representation (P-1) and take a conscious decision within a period of two months from the date of receipt of certified copy of this order. If there is no impediment in granting all the retiral benefits, to make the payment within a period of 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 and others, 1997 (3) SCT 468* as well as *Govt. of Haryana Instructions No.1/2(152)01-2FRII, dated 20.02.2002.*

5. However, if the petitioner still feels aggrieved against the order passed by the respondents, he shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

APRIL 05, 2018
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(JASPAL SINGH)
JUDGE

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