

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.8576 OF 2018
DECIDED ON: APRIL 05, 2018

AMARJEET SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Hardeep Singh Dhindsa, 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 release the pensionary benefits and other dues including the pay from 01.01.2017 to 31.08.2017, which has not been paid despite the fact that he retired from service on 31.08.2017 along with interest.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on 31.08.2017 on attaining the age of superannuation but till date the retiral benefits and other dues have not been released to the petitioner. Even, a legal notice dated 01.03.2018 (P-5) was duly served upon 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 legal

notice 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 legal notice dated 01.03.2018 (P-5) 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 and other dues, to release the same 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 *Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.*

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>