

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

Sr. No.129

Civil Writ Petition No.8827 of 2018
DECIDED ON: April 06, 2018

RAJ KUMAR

..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. (ORAL)

By virtue of the instant civil writ petition, preferred under Article 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 pensionary benefits along with interest @ 18% per annum WITH FURTHER issuance of a writ in the nature of certiorari quashing the letter dated 27.02.2018 (P-9).

2. The contention of learned counsel for the petitioner is that petitioner stood retired on 30.11.2016. He further contends that neither any judicial nor any departmental proceeding is pending against him. He further submits that he feels satisfied in case a direction is issued to respondents to decide the legal notice 01.03.2018 (P-4) within some specified period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in the legal notice dated

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01.03.2018 (P-4) and to take a conscious decision by passing a speaking order, within a period of two months from the date of receipt of a certified copy of this order. If there is no legal impediment to release the aforesaid benefite claimed, same be released to him within 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). 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.

April 06, 2018
Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No