

**CWP No.9346 of 2018
DECIDED ON: APRIL 19, 2018**

RAM SAGAR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Peeush Gagneja, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directed the respondents to release the amount of gratuity, leave encashment, provident fund, arrears of revised pay scale and all other remaining service-cum-retirement benefits to him, along-with interest on the delayed payments thereof.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on 31.12.2016 on attaining the age of superannuation as Mali-cum-Sewadar but till date except an amount of ₹50,000/- and the grant of pension, no other benefit accrued to the petitioner on account of his retirement has been disbursed/released to him. He further submits that petitioner feel satisfied in case direction is issued to respondent(s) to decide the legal notice dated 12.03.2018 (P-2), within a stipulated 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 12.03.2018 (P-2) and to take a conscious decision that too, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, competent authority comes to the conclusion that petitioner is entitled to the relief(s) claimed through the legal notice, the same be released to him within a period of next 45 days.

4. Factum of interest on the delayed payments of various retiral dues shall also be considered in view of instructions bearing No. 1/15/90-IFPIII/4226, dated May 10, 1990 issued by the Department of Finance, Government of Punjab as well as judgments passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* and also by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017.

5. However, in case of non-compliance of afore-said direction petitioner shall be at liberty to have recourse to the other remedies available to him under law as well as to approach this Court.

APRIL 19, 2018
sham

(JASPAL SINGH)
JUDGE

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