

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

CWP-3426-2021(O&M)

Date of decision:15.02.2021

Balwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Aman Dhir, Advocate for the petitioner

ANIL KSHETARPAL, J.

The petitioner has invoked the extraordinary jurisdiction of this Court seeking the following substantive relief:-

(i) Civil Writ Petition under Article 226/227 of the Constitution of India for the issuance writ in the nature of Mandamus directing the respondents to grant/release all the retiral/pensionary service benefits and dues to the petitioner (including gratuity, dearness allowance, GPF/PF deposited by him, leave encashment, medical allowance etc. and arrears of increment and other arrears) alongwith interest @ 18% p.a for delay in the payment of above mentioned service benefits till its realization, in view of judgment passed by full bench judgment of this Hon'ble High Court in case of "**A.S.Randhwa Vs. State of Punjab and others'** cited as 1997 (3) SCT 468 in the interest of justice."

The petitioner claims that he has joined as a Peon/Sewadar, Nagar Council, Giddarbaha, in the year 1983. He, after having been given extension of one year in service, retired on 31.5.2020. The petitioner claims that his retiral dues have not been released to him.

The petitioner is stated to have submitted a representation in

this regard on 05.01.2021.

After arguing for some time, learned counsel for the petitioner submits that the writ petition can be conveniently disposed of by directing the respondents to consider the claim of the petitioner and pass the appropriate orders thereon.

Keeping in view the aforesaid facts, it is considered appropriate to direct respondent no.3 to consider the claim of the petitioner and pass a speaking order thereon, within a period of two months. If the petitioner is found entitled to the retiral dues, the same shall be released to him within a period of two months thereafter. If the claim of the petitioner is to be rejected, he shall be granted an opportunity of hearing.

15.02.2021

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Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE