

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

CWP-1035-2022

Date of decision: 21.01.2022

Raj Kishan

.....Petitioner

versus

The State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Harbans Sharma, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondents to grant the retirement benefits of the petitioner on his retirement on 31.03.2017 including leave encashment and gratuity and the gratuity was to be paid @ Rs.10.00 lacs after amendment to the Gratuity Act, 1972 from 24.05.2010 which became applicable to the Cooperative Societies as per instructions

dated 05.07.2010 (Annexure P-3) but for the service rendered in respondent society from 24.12.1978 till 31.03.2017 (about 39 years) with 18% interest for delayed payments till the actual date of payment as per the full Bench Judgment of this Hon'ble Court in R.S. Randhawa versus State of Punjab, 1997 (3), RSJ 318.

Notice of motion to the official respondents.

Ms. Simran Grewal, AAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the representations dated 25.06.2018 (Annexure P-10), dated 27.07.2020 (Annexure P-11) and legal notice dated 27.07.2020 (Annexure P-12) as representation moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the relief, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

21.01.2022

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No