

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

112

CWP No.27226 of 2022

Date of decision: 29.11.2022

Jangir Singh

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Lalit Goyal, Advocate, for the petitioner.

VIKAS SURI, J. (Oral)

The petitioner-Jangir Singh, has preferred this petition under Article 226/227 of the Constitution of India seeking a writ of mandamus, directing the respondents to grant/release the complete retirement benefits due to the petitioner, including Gratuity, Dearness Allowance, CPF/PF, leave encashment, medical allowance, arrears of increments etc. along with interest @ 18% per annum.

It is averred that the petitioner was working on the post of Junior Engineer with Punjab Water Supply and Sewerage Board, i.e. respondent No.2 and after attaining the age of superannuation, retired on 31.12.2021.

At the very outset, learned counsel submits that the petitioner would be satisfied, at this stage, in case a direction is issued to the second respondent to decide the representation dated 16.08.2022 (Annexure P-2) in a time bound manner, which was served on his behalf and is still pending consideration. It is submitted that the relief sought in the present petition is the same as is claimed in the said representation.

It is further averred that the service of the petitioner was not pensionable service and after retirement, the petitioner is only dependent on the

other terminal benefits, which have not been released except 80% of the amount of Contributory Provident Fund (CPF). All other retiral benefits are still due to the petitioner.

Accordingly, keeping in view the restricted prayer, the present petition is disposed of with a direction to respondent No.2 to look into the grievance made and claim raised in the representation dated 16.08.2022 (Annexure P-2) and decide the same in accordance with law, by passing a speaking order within a period of eight weeks from the date of receipt of a certified copy of this order.

Respondent No.2 is further directed to also consider and grant the interest on delayed payment in view of the dictum of the Full Bench of this Court in ***A.S. Randhawa vs. State of Punjab and others***, 1997(3) SCT 468 (FB).

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be paid to him within a period of four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURI)
JUDGE

November 29, 2022

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Whether speaking/reasoned: Yes

Whether reportable: No