

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

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**CWP-4375-2023 (O&M).
Date of Decision: 02.03.2023.**

RANDHIR SINGH

... Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Gaurav Tyagi, Advocate,
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been preferred under Articles 226/227 of the Constitution of India, 1950, seeking issuance of a writ in the nature of Mandamus directing the respondents to release the remaining retiral benefits i.e. Group Insurance Scheme (GIS) amount along with interest @ 18% per annum on the delayed payment of retiral benefits (leave encashment and GIS).

Learned counsel for the petitioner contends that the petitioner was appointed as a Peon with the office of respondent No.2 on 01.06.1988 and he retired on 30.04.2018 from the post of Clerk from the office of

respondent No.2, however, certain retiral benefits have not been released to him even after a lapse of reasonable time. It is further contended that the petitioner also sent a representation dated 03.08.2022 (Annexure P-6) in this regard but the respondents have failed to pay any heed to the requests of the petitioner, hence the present petition has been filed.

Learned counsel for the petitioner submits that at this juncture, the petitioner would be satisfied in a case a direction is issued to the respondents to look into the legal notice and the grievance espoused by the petitioner therein and a speaking order is passed thereupon in accordance with law and in a time bound manner.

Notice of motion.

Mr. Pankaj Mulwani, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents and he has no objection to the aforesaid prayer being granted.

Accordingly, with the consent of the parties and without commenting upon the merits of the case, taking into consideration that an alternative prayer has been made to the extent that the representation be decided by the respondents in a time bound manner, the present writ petition is disposed of with a direction to the respondent No.2 to look into the grievance espoused by the petitioner in the representation dated 03.08.2022 (Annexure P-6) sent by the petitioner and to pass a speaking and reasoned order thereupon in accordance with law within a period of three months from the date of receipt of certified copy of this order after granting an opportunity of hearing to the petitioner.

Needless to mention that in the event the entitlement of the petitioner being established as per law, the payment due to the petitioner shall be released expeditiously and preferably within a further period of three months.

Petition stands disposed of accordingly.

March 02, 2023
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(VINOD S. BHARDWAJ
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No