

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

214

CWP-11436-2017
Decided on :06.03.2024

Bishan Singh
Versus
State of Punjab and others
... Petitioner
... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. M. K. Dogra, Advocate
for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

Mr. Anil Kumar Sharma, Advocate
for respondent No. 4.

VIKAS BAHL, J.(ORAL)

1. Present Civil Writ Petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing the respondents to immediately pay the retiral benefits including pension, gratuity, commutation of pension etc. with interest @18% per annum and also interest on the payment of leave encashment.
2. Learned counsel for the petitioner has submitted that the dues have been paid to the petitioner and the only claim of the petitioner which is left is, with respect to the interest on the delayed payments. It is further submitted that the petitioner would give a representation to the competent authority of respondent No. 1-State detailing the dates on which each benefit was due and the date on which the same was paid and at this stage, he would be satisfied, in case, the said representation is considered by the competent authority of respondent No. 1-State in a time bound manner

and in case, the pleas raised by the petitioner are found to be meritorious then to grant necessary relief, in accordance with law.

3. Learned State counsel has submitted that in case, any such representation is made, then the competent authority of respondent No. 1-State would consider the said representation in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of the said representation.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No. 1-State to consider the abovesaid representation as and when filed by the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of the said representation and in case, the pleas raised by the petitioner are found to be meritorious then the competent authority of respondent No. 1-State would grant necessary relief in accordance with law and in case, the competent authority of respondent No. 1-State is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of two months from the date of receipt of the abovesaid representation.

5. This Court has not opined on the merits of the case and the competent authority of the respondent No. 1 would consider and decide the case of the petitioner independently, in accordance with law.

(VIKAS BAHL)
JUDGE

06.03.2024
Mehak

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No