



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

CWP-20620 of 2024

Date of decision: 27.08.2024

Surjit Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

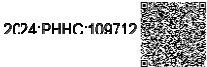
Present: - Mr. I.S. Saggu, Advocate, and
Mr. T.S. Saggu, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of *mandamus* directing the respondents to release the retiral benefits of the petitioner i.e. gratuity, leave encashment and other dues as well as balance amount of Rs.6,30,000/- and amanat (deposit) of Rs.1,50,000/- along with interest which is payable to the petitioner at the time of his retirement on 31.03.2023 and has not been paid to him despite representation dated 28.02.2024 (Annexure P-1) and legal notice dated 23.07.2024 (Annexure P-3).

2. Learned counsel for the petitioner contends that despite the fact that the petitioner retired from service on attaining the age of superannuation on 31.03.2023 and despite giving representation and legal notice to the respondents, retiral dues of the petitioner have not been released so far. He further submits that the petitioner is also



entitled for the interest on the delayed payment of retiral dues in view of the law down by a Full Bench of this Court in *A.S. Randhawa v. State of Punjab and others, 1997(3) S.C.T. 468* and judgment of a Co-ordinate Bench of this Court in *J.S. Cheema v. State of Haryana, 2014(13) R.C.R. (Civil) 355*.

- 3. Notice of motion.
- 4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondents-State.
- 5. I have heard learned counsel for the parties and have gone through the record of the case.
- 6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3-Deputy Registrar, Cooperative Societies, Bathinda, is directed to consider and decide the claim made by the petitioner in legal notice dated 23.07.2024 (Annexure P-3) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled to, necessary benefits be released to him within a period of one month thereafter.
- 7. The petition stands disposed of.

27.08.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No