

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

**CWP No. 19853 of 2017
DECIDED ON: SEPTEMBER 04, 2017**

DALWARA SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Harmanpreet Kaur, Advocate for
 Ms. Loveinder Kaur Brar, Advocate
 for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought the issuance of writ in the nature of mandamus directing the respondents to release the retiral benefits i.e. gratuity, leave encashment, revised pay fixation arrears and pension, of the petitioner along with interest @ 18% per annum

2. At the very outset, learned counsel for the petitioner submits that though a letter dated July 21, 2017 (Annexure P-3) was sent by the petitioner to respondent No.4 but till date no action has been taken. He further submits that he feels satisfied in case a direction is issued to respondent No.4 to decide the same within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.4 to look into the grievances unfolded by the petitioner in his letter dated July 21, 2017 (Annexure P-3) and to decide the same by passing a speaking order in accordance with law within a period of three months from the date of certified copy of this order. In case respondent No.4 comes to the conclusion that petitioner is entitled to the relief(s) claimed by him, to release the same within next 45 days. However, the matter with regard to grant of interest on delayed payment be also considered in view of observations made by Full Bench of this Court in case captioned as "A.S. Randhawa vs. State of Punjab and others; 1997 (3) SCT 468" and in CWP No. 8772 of 2015 titled as "Charan Dass vs. State of Punjab & others;" decided on July 11, 2017. However, if the petitioner still feels aggrieved by any order of the afore-said authority, he shall be at liberty to approach this Court.

SEPTEMBER 04, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*