
(2018) 04 P&H CK 0182
In the Punjab And Haryana At Chandigarh
Case No : CWP No.8458 OF 2018

Randhir Singh Malik

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 05-04-2018

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2018) 04 P&H CK 0182

Hon'ble Judges : Jaspal Singh, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, the petitioner has sought issuance of a writ in the nature of

mandamus directing the respondents to disburse the retiral benefits including death-cum-retirement gratuity (DCRG), commutation of pension, leave

encashment etc. along with interest @ 12% p.a.

2. The contention of learned counsel for the petitioner is that the petitioner stood retired as Deputy Director on 31.12.2017 on attaining the age of

superannuation but till date the retiral benefits have not been disbursed to the petitioner. Even, petitioner moved representation (P-1) to the

respondents but till date neither any response has been received nor any conscious decision has been taken thereon. He submits that petitioner feels

satisfied in case direction is issued to respondents to decide aforesaid representation within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is

disposed of with the direction to respondents to consider the case as setup by the petitioner in his representation (P-1) and take a conscious decision within a period of two months from the date of receipt of certified

copy of this order. If there is no impediment in granting all the retiral benefits, to make the payment within a period of next 45 days.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the 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 as well as Govt. of Haryana Instructions

No.1/2(152)01-2FRII, dated 20.02.2002.

5. However, if the petitioner still feels aggrieved against the order passed by the respondents, he shall be liberty to have recourse to the other remedies

available under law as well as to approach this Court.