

**Serial No. 2**

**Suppl. List**

**HIGH COURT OF JAMMU AND KASHMIR**  
**AT JAMMU**

SWP No. 335/2018

Date of order: 28.02.2018

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Krishan Parsad

Vs

State of J&K and ors.

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**Coram:**

**Hon'ble Mr. Justice Ramalingam Sudhakar, Judge.**

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**Appearance:**

For the Appellant(s)      Ms. Manpreet Kour, Advocate

For the Respondent(s):   Mr. R. S. Jamwal, Dy.AG

Mr. Eishaan Dadhichi, CGSS

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i) Whether approved for reporting in      Yes/No  
Law Journals etc.:

ii) Whether approved for publication      Yes/No  
in Press:

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1. Notice. Mr. R. S. Jamwal, learned Dy.AG accepts notice on behalf of the respondents 1 to 4 and Mr. Eishaan Dadhichi, learned CGSC accepts notice on behalf of respondent No. 5.

2. Going by the nature of relief sought for, petition is ***admitted*** to hearing and with the consent of learned counsel for the parties, same is taken up for final disposal.

3. Through the instant writ petition, petitioner seeks the following reliefs:-

***“i) to issue direction to the respondents to release the amount of gratuity amounting to Rs. 1,77,294/- withheld by the respondents along with interest by issuance of writ of mandamus’***

***ii) to issue directions to the respondents to fix and release the proper pension in the pay grade of Rs. 4000-6000 on the basis of last pay drawn and to release the arrears of pension, by issuance of writ of mandamus;***

***iii) to issue directions to the respondents to pay compensation for wrongful withholding the amount of gratuity and not fixing the pension on the basis of last pay drawn and also to release the arrears of pension with effect from the petitioner has been superannuated i.e. with effect from 01.11.2011, by issuance of writ of mandamus.”***

4. The petitioner seeks release of the gratuity amounting to Rs. 1,77,294/- along with interest withheld by the respondents. He also seeks proper pension in the pay grade of Rs. 4000-6000/- on the basis of last pay drawn and to release of the arrears of pension.

5. The petitioner has not made any specific request to the respondents so far and has come to this Court straightway seeking the above stated reliefs. Therefore, on an objection

raised by Mr. R. S. Jamwal, learned Dy.AG, the petitioner is directed to make a detailed representation to the competent authority alongwith copy of this order seeking whatever relief he wants. On such representation being filed, the competent authority shall accord consideration to the same and dispose of the same expeditiously, preferably within a period of six to eight weeks from the date of receipt of representation alongwith copy of this order.

6. Writ petition disposed of, as above.

(Ramalingam Sudhakar)  
Judge

Jammu  
28.02.2018  
B/r