

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

CWP No. 2736 of 2016

Date of decision: 24.2.2016

Boota Singh

... Petitioner

Versus

The State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Baltej Singh Sidhu, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

1. Mr. Sidhu states that despite best effort to obtain the order accepting resignation tendered by the petitioner by the management has failed. The petitioner resides in Canada. The employment was non-pensionable. The petitioner claims pending gratuity, leave encashment and other benefits as are detailed in the writ petition.

2. In the circumstances, Mr. Sidhu prays that a direction may be issued to the respondents to consider and decide the representation dated April 3, 2014 [Annex P-1] within a reasonable period.

3. The request is fair. The claim is for retiral benefits which is a recurring cause of action and denial of money causes financial loss every month. Consequently, a direction is issued to respondents No.2 & 3 to consider and decide the representation of the petitioner by passing a speaking order. Since the petitioner resides abroad, Mr. Sidhu waives his client's right to personal hearing before the final order is passed. Thus the

respondents would take up the representation and pass an order by assigning reasons for grant or denial of the benefits. The order be communicated to the learned counsel for the petitioner at his address in the Punjab & Haryana High Court Bar Association directory. The final order be conveyed within three months from the date of receipt of certified copy of this order. In case, the benefits are found due and payable, the same will be paid into the account of the petitioner to be furnished by him. The petitioner will be entitled to interest at the statutory rate on delayed payments or as per rules and instructions prevailing in the respondent authority.

(RAJIV NARAIN RAINA)
JUDGE

24.2.2016
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