

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

CWP No. 9201 of 2016
Date of decision: 12.05.2016

Gurcharan SinghPetitioner(s)

Versus

State of Punjab and others ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. O.P. Gabba, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the release of pensionary benefits alongwith interest from the date of retirement which was 30.11.2015 from the post of Fireman from Municipal Council, Ferozepur-respondent no. 3.

Counsel submits that legal notice dated 08.03.2016 (Annexure P-2) has already been served upon respondent nos. 2 to 4. Respondent no. 3 had also sent communication to respondent no. 4 on 03.12.2015 (Annexure P-3) quantifying the share of the said respondent and also asking for the no due certificate. The same has also been sent by respondent no. 4-Municipal Council, Sri Muktsar Sahib on 15.12.2015 (Annexure P-4). It is submitted that in spite of the above, payment has not been paid. Counsel further submits that he would be satisfied if legal notice dated 08.03.2016 (Annexure P-2) is decided within a time bound frame.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of respondent nos. 1 and 2. Copy of the writ petition has been supplied to him

in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent no. 2 to ensure that action is taken on legal notice dated 08.03.2016 (Annexure P-2) within a period of 2 months from the date of receipt of certified copy of the order. If there is no legal impediment, the same shall be paid to the petitioner within a period of 1 month thereafter. The said respondents shall also ensure that the liability to pay the interest element due to the delay in disbursement is also decided in view of the Full Bench judgment of this Court in ***A.S.Randhawa Vs. State of Punjab & others 1997 (3) SCT 468.*** Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

12.05.2016
shivani

(G.S. SANDHAWALIA)
JUDGE