

CWP No. 20241 of 2017

DECIDED ON: SEPTEMBER 07, 2017

OM PARKASH GUPTA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Hemender Goswami, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release the remaining 25% of the gratuity amount which was ordered to be withheld at the time of retirement of the petitioner along-with interest @18% per annum.

2. At the very outset, learned counsel for the petitioner has submitted that though a legal notice dated July 21, 2017 (Annexure P-6) was served upon the respondents but till date neither any reply has been received nor any conscious decision has been taken. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.3 to dispose of the legal notice (Annexure P-6) within a stipulated period.

3. Notice of motion.

4. At the asking of Court, Ms. Sudeepti Sharma, Addl. AG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of the petition be supplied to learned State counsel during the course of day.

5. Since no adverse is going to passed against the respondents, reply is not required at this stage.

6. Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in his legal notice dated July 21, 2017 (Annexure P-6) and to take a conscious decision in accordance with law within a period of three months from the date of receipt of certified copy of this order. However, in case the petitioner still feels aggrieved by any of the order(s) passed by competent authority, he shall be at liberty to approach this Court.

SEPTEMBER 07, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*