

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

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**CWP No.24564 of 2017
Date of decision: 30.10.2017**

Nitin Sharma

....Petitioner

Versus

State of Haryana & others

...Respondents

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

Present: Ms.Chhavi Sharma, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks issuance of a writ in the nature of mandamus under Article 226 of the Constitution of India, against respondent No.3, for payment of Gratuity, annual increment, EPF benefits, earned leave, half pay leave etc., as enumerated in the Service Rules of Kurukshetra University.

It is the case of the petitioner that he had joined the respondent No.3-Institute as Accounts Officer vide appointment letter dated 23.12.2011 (Annexure P-1) and worked till March, 2017. He had resigned on 29.03.2017 and had been relieved on 31.03.2017 (Annexure P-3), as per the certificate issued. He made a representation dated 09.08.2017 (Anneuxre P-4) for payment of the due salary, Gratuity and the interest, on account of having rendered more than 5 years of service. It is his case that thereafter also, the said respondent has not redressed his grievances despite being approached several times.

Counsel submits that the petitioner would be satisfied if a time-bound direction is given to the respondents to decide the representation dated 09.08.2017 (Anneuxre P-4).

Keeping in view the fact that the said respondent No.3 is yet to take a decision on the said representation, this Court is of the opinion that no useful purpose would be served by calling upon the said respondent to file reply.

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Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner, as such, to seek the benefit as claimed, the present writ petition is disposed of, with a direction to respondent No.3 to decide the representation dated 09.08.2017 (Anneuxre P-4) within a period of 2 months from the receipt of a certified copy of this order and if the dues are payable, the same shall be paid to the petitioner within a period of 15 days thereafter. In case there is a dispute regarding the payment, the said respondent shall pass a speaking order, giving reasons for the same and convey the same to the petitioner, forthwith, who can then take his legal recourse, in accordance with law.

30.10.2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*