

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

**CWP No.18342 of 2018
DECIDED ON: JULY 26, 2018**

GURVINDER SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. H.K. Brinda, Advocate
 for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ 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 calculate and pay the amount of gratuity and leave encashment on account of death of father of the petitioner on 01.01.2016 while in service after taking into consideration the entire service rendered by the deceased-Avtar Singh with the respondent-State on ad hoc basis/work charge service prior to regularization along-with interest @12 % from the due date till its actual payment.

2. Learned counsel for the petitioner contends that though legal notice dated 25.05.2018 (P-5) was duly served upon the respondents but reply to the notice has only been given by respondent No.3 vide its reply dated 25.06.2018 (P-7) but no response has so far been received from the other respondents particularly from respondent No.2.

3. Learned counsel for the petitioner further submits that he feels satisfied in case a direction is issued to respondent No.2 to decide the legal notice dated 25.05.2018 (P-5) in a time bound manner.

4. Instant petition is disposed of with a direction to respondents No.2 to look into the grievances unfolded by the petitioner in the legal notice dated 25.05.2018 (P-5) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to other remedies available under the law including to approach this Court.

JULY 26, 2018
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(JASPAL SINGH)
JUDGE

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