

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

CWP-17277-2016

Date of decision: - 04.09.2019

Meenakshi

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Ranjit Saini, Advocate,
for the petitioner.

Mr. H.S. Sitta, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that his claim for the release of GPF alongwith interest, as raised in the legal notice dated 25.05.2016 (Annexure P-5), has been declined by filing a totally cryptic and non-speaking reply (Annexure P-6).

Counsel for the petitioner argues that after the petitioner resigned from service, he was entitled for the GPF, amounting to ₹6,28,542/-, whereas, only a sum of ₹2,90,447/- has been refunded to the petitioner.

Counsel for the petitioner further argues that a detailed legal

notice dated 25.05.2016 (P-5) was served by the petitioner upon the respondents, wherein in paragraph 4, the details of the total amount of ₹6,28,542/- was mentioned, but the respondents in their reply dated 14.06.2016 (Annexure P-6) stated that no amount is due to the petitioner on account of GPF other than the already released.

Counsel for the petitioner further states that once the details of the amount of ₹6,28,542/- was given, it was incumbent upon the respondents either to accept or deny the same specifically and therefore, by a totally cryptic reply, the claim of the petitioner has been declined.

Counsel for the petitioner further states that even as of now the petitioner will be satisfied in case the legal notice dated 25.05.2016 (P-5) is decided by the respondents in a time bound manner by passing an appropriate speaking order with regard to the claim of ₹6,28,542/-, to be paid to the petitioner on account of GPF.

Counsel for the respondents-State states that appropriate order will be passed by the Director, Department of Health & Family Welfare, Punjab (respondent No.2), to whom the abovesaid legal notice has been addressed by the petitioner, within a period of three months from the date of receipt of certified copy of this order and each and every para of the said legal notice will be replied by passing an appropriate speaking order by giving all the details

In view of the above, without expressing any opinion on the merits of the case or the claim as being made by the petitioner, respondent No.2 is directed to decide the legal notice dated 25.05.2016 (P-5) by passing a speaking order within a period of three months from the date of

receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

September 04, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No