

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CWP No. 1225 of 2020

Date of Decision : 17.01.2020

Major Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Virinder K. Shukla, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner states that initially the petitioner was appointed as a Canal Patwari in the Department of Irrigation, Punjab in the year 1980 and he continued working there till 19.02.1988, after which, he was transferred to the Revenue Department, Punjab and he worked in the office of Deputy Commissioner, Kapurthala. Learned counsel further states that after the petitioner retired from service on attaining the age of superannuation on 31.01.2015, from the office of Deputy Commissioner, Kapurthala, he was entitled for release of the provident fund but at that time it was discovered that provident fund, which was deducted by the Department of Irrigation from 1980 till 1988, was never sent to the subsequent Department i.e. Revenue Department, Punjab by the Irrigation Department and petitioner has not been released the

provident fund for the period 1980 till 19.02.1988. The prayer of the petitioner is for directing the respondent-Irrigation Department to release the provident fund, which was deducted when the petitioner was serving Irrigation Department from the year 1980 till 19.02.1988 alongwith interest.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 18.11.2019 (Annexure P-2), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No. 3 to decide the said legal notice by passing an appropriate speaking order in a time bound manner.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondent No. 3 is directed to decide the legal notice dated 18.11.2019 (Annexure P-2) 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 next three months.

Writ petition stands disposed of accordingly.

January 17, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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