

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

CWP No.7964 of 2020 (O&M)
Date of Decision: June 11, 2020

Lakhwinder Singh

...Petitioner

Versus

Registrar Co-operative Societies Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This civil writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release gratuity, leave encashment and all other benefits to the petitioner along with interest @ 18% per annum.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner retired from the services of the Society on 31.08.2017, however, as on date has not been given all his retiral benefits. The petitioner approached this court by filing a Civil Writ Petition No.34751 of 2019 and the same was withdrawn with liberty to approach the appropriate authority for release of his benefits. Thereafter, the petitioner approached the Registrar, Co-operative Societies on 07.02.2020, however, as on date the matter has not been decided nor have his retiral dues been released in its entirety.

Notice of motion.

At this stage, Mr. Pankaj Gupta, Addl. AG Punjab, accepts notice.

I have heard learned counsel for the parties and with their able assistance have perused the pleadings of the case.

The limited prayer made in the instant writ petition is for release of the retiral benefits to the petitioner, who retired as far back as 31.08.2017. The petitioner, though retired in August, 2017, is still claiming the release of his retiral dues under the terms of gratuity, leave encashment and others benefits and has also approached the Department on several occasions, apart from sending legal notice in November 2018 and December 2018. Since the prayer of the petitioner is limited to the extent of release of his retiral benefits, this petition is being disposed of, by giving a direction to the respondents to consider the case of the petitioner along with legal notices and decide the same in accordance with law within a period of two months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled to the retiral dues, as claimed, the same be released to him within a further period of six weeks along with interest @ 6% per annum.

The petition stands disposed of in the aforesaid terms.

June 11, 2020
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No