

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

121

Civil Writ Petition No.10159 of 2020
Date of Decision: July 20th, 2020

Bhag Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Varun Dhawan, Advocate
for the petitioner.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court with a grievance that the retiral benefits, after his retirement on 30.06.2019, have not been released fully. It is contended that the amount of gratuity and leave encashment has to be released to the petitioner in full. The total comes to ₹16,09,490/- out of which only ₹6,09,490/- have been released. The remaining amount of ₹10,00,000/- is still lying with the Nagar Panchayat, Makhu, Tehsil Zira, District Ferozepur-respondent No.3. Putting forth his claim, the petitioner has submitted a representation dated 26.07.2019 (Annexure P-1) to the Executive Officer, Nagar Panchayat, Makhu-respondent No.3. When nothing was heard, notice dated 16.05.2020 (Annexure P-2) through counsel has also been served upon the respondents but that also has not been decided till date nor any benefits conferred upon the petitioner.

Counsel states that the petitioner, at this stage, would be satisfied in case a direction is issued to the Director, Local Self Government (Local Bodies), Punjab, Chandigarh and the Executive Officer, Nagar Panchayat, Makhu, Tehsil Zira, District Ferozepur-respondents No.2 and 3 respectively to consider and decide the legal notice dated 16.05.2020 (Annexure P-2) within some specified time.

In view of the statement made by the counsel for the petitioner, without going into the merits of the case or commenting thereon, the present writ petition is disposed of with direction to respondents No.2 and 3 to consider and decide the legal notice dated 16.05.2020 (Annexure P-2), within a period of one month from the date of receipt of certified copy of this order.

In case the claim of the petitioner is accepted, the consequential benefits, if any, be released to him, in accordance with law, within a further period of one month. In case the claim of the petitioner is not to be accepted, a well reasoned and speaking order be passed and conveyed to the petitioner forthwith.

July 20th, 2020

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No