

Gurdev Singh

.....Petitioner

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Raman Goklaney, Advocate for the petitioner.

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ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of appropriate directions to the official respondents to release the full and final retiral benefits such as Gratuity Leave Encashment, Arrears of salary, etc. as raised in legal notice dated 19.12.2019, Annexure P-3, and representation dated 14.07.2020, Annexure P-4, which were payable to the petitioner on retirement from the services of respondent No.6/Society on 30.11.2019 along with interest.

It is been contended by the learned counsel for the petitioner that the petitioner retired from the service of respondent No.6 (The Rama Multipurpose Cooperative Agricultural Service Society Ltd.) on 30.11.2019. However, till date he has not been given his retiral benefits. He further contends that the job was non-pensionable and, hence, the petitioner is facing undue financial hardship because of non-release of the retiral benefits.

Notice of motion.

On the asking of the Court, Ms. Akshita Chauhan, AAG Punjab has put in appearance through video conferencing and accepts notice for the State.

I have heard learned counsel for the parties and also perused the pleadings of the case.

The limited prayer in the present petition is for release of the retiral benefits of the petitioner who retired on 30.11.2019. The petitioner who retired from a non-pensionable job has been left high and dry and is still claiming the release of benefits like gratuity leave encashment, arrears of salary etc. He has approached the department by way of legal notice dated 19.12.2019 (Annexure P-3) and representation dated 14.07.2020 (Annexure P-4). However, till date the retiral benefits have not been released.

Since the prayer in the present petition is limited to the extent of release of retiral benefits, the present petition is disposed of by giving a direction to the respondent No.2 to consider the case of the petitioner and to decide his representation dated 14.07.2020 in accordance with law within two months from the date of receipt of certified copy of this order. In case the petitioner is found entitled to the dues as claimed, the same be released within six weeks thereafter along with 6% per annum interest.

The present petition is disposed off accordingly.

August 13, 2020

Kv

**(ALKA SARIN)
JUDGE**

NOTE:

Whether speaking	:	Yes/No
Whether reportable	:	Yes/No