

**119 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CWP-13633-2020
Decided on : 04.09.2020

Gurjant Singh

..... Petitioner

Versus

State of Punjab & ors.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Manjari Nehru Kaul, J.

Prayer in the instant petition filed under Article 226/227 of the Constitution of India is for issuance of writ of mandamus directing the official respondents to release the full and final retiral benefits such as Gratuity, Leave Encashment etc as raised in representations dated 14.07.2020 (Annexure P-4) and 04.03.2020 (Annexure P-3).

Learned counsel appearing on behalf of the petitioner would submit that the petitioner retired from the services of the Society on 31.08.2019, however, till date he has not been given all his retiral benefits. The petitioner approached the Registrar, Co-operative Societies on 04.03.2020 (Annexure P-3) and on 14.07.2020 (Annexure P-4), however, as on date neither the matter has not been decided nor have his retiral dues been released in its entirety.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG 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 31.08.2019. His retiral dues under the terms of gratuity, leave encashment and others benefits have not been released despite approaching the Department on several occasions, apart from giving representations dated 14.07.2020 (Annexure P-4) and 04.03.2020 (Annexure P-3). Therefore, keeping in view the limited prayer made by the petitioner to the extent of release of his retiral benefits, the respondents are directed to consider the case of the petitioner along with above-said representations and decide the same by passing a speaking order 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.

(MANJARI NEHRU KAUL)
JUDGE

04.09.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No