

**In The High Court of Punjab and Haryana
At Chandigarh**

CWP-15197-2020 (O&M)

Date of Decision:- 23.9.2020

Mukesh Kumar Sharma

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vikram Bali, Advocate, for the petitioner.

HARNARESH SINGH GILL, J.(Oral)

Case is being taken up for hearing through video conferencing.

The prayer in the present petition is for issuance of an appropriate writ order to grant interest @ 18% from date of accrual till date of payment of retrial benefits.

The learned counsel for the petitioner states that the petitioner was working as a Principal in Government Senior Secondary School, and got pre-mature retirement on 9.2.2020 and the same was approved by the Secretary Education on 1.6.2020. The retiral benefits i.e. GIS, Gratuity, Leave Encashment, commuted pension as well as the pension that is all retiral benefits along with statutory interest have not been paid to the petitioner till date.

The learned counsel for the petitioner further states that the petitioner served a legal notice dated 6.8.2020 (Annexure P-1) and

thereafter, another legal notice dated 26.8.2020 (Annexure P-2) but till date no action has been taken.

Learned counsel for the petitioner states that the petitioner will be satisfied if the legal notice dated 26.8.2020 (Annexure P-2) is decided by the Director Public Instructions Secondary Education (respondent No.2) within a stipulated period.

Learned counsel for the petitioner further states that at this stage notice to respondent No.6, Inder Pal, Clerk, may be dispensed with.

Ordered accordingly.

Notice of motion to respondents No. 1 to 5 only.

At this stage, Mr. Vikas Mohan Gupta, Addl. A.G., Punjab, accepts notice on behalf of respondent Nos.1 to 5.

Keeping in view the above, the directions are issued to the Director Public Instructions Secondary Education (respondent No.2) to decide the legal notice dated 26.08.2020 (Annexure P-2) within a period of two months from the date of receiving the certified copy of this order, as per law.

The petition stands disposed of accordingly.

(HARNARESH SINGH GILL)
JUDGE

September 23, 2020
Neelam

Whether speaking /reasoned Yes

Whether Reportable No