

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

**CWP-16679-2020
Date of Decision : 09.10.2020**

Nachattar Singh Petitioner
Versus

State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present : Mr. Aman Dhir, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab
for respondents No.1 and 2-State.

ASHOK KUMAR VERMA, J. (Oral)

Case has been taken up for hearing through video conferencing
due to the outbreak of Pandemic COVID-19.

Through this petition under Article 226/227 of the Constitution
of India, prayer has been made for issuance of direction to respondents to
grant/release all the retiral/pensionary service benefits and dues to the
petitioner (including gratuity, dearness allowance, GPF/PF deposited by
him, leave encashment, medical allowance etc. and arrears of increment and
other arrears) alongwith interest @ 18% p.a.

Learned counsel for the petitioner contends that the petitioner
has since retired as Sewadar/peon on 31.05.2020 from Nagar Council,
Gidderbaha, District Sri Muktsar Sahib but the respondent-Department has
not granted retiral/pensionary service benefits and dues (including gratuity,
dearness allowance, GPF/PF deposited by him, leave encashment, medical
allowance etc. and arrears of increment and other arrears) to him. It is

further submitted that petitioner has made numerous personal visits to the respondent-Nagar Council as well as made written representations to the concerned authorities for the redressal of his grievance but to no avail. There is no impediment for the release of pensionary benefits as no departmental inquiry or any other proceedings is pending against him.

Learned counsel for the petitioner further submits that the petitioner will be satisfied, at this stage, in case a time bound direction may be issued to the respondents to decide his claim as raised in the representation dated 27.07.2020 (Annexure P-3).

Without commenting upon the merits of this case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 27.07.2020 (Annexure P-3), the present writ petition is disposed of with a direction to the respondent No.3-Executive Officer, Nagar Council, Gidderbaha, District Sri Muktsar Sahib to decide the said representation within a period of six weeks from the date of receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of said representation, the same be paid to him without any further delay preferably within one month thereafter.

Present writ petition stands disposed of.

09.10.2020
mamta

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No