

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

CWP-17567-2020

Date of Decision: 26.10.2020

GURWINDER SINGH

....PETITIONER

VERSUS

REGISTRAR, COOPERATIVE SOCIETIES,
PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. R.K. Sharma, Advocate,
for the petitioner.

Mr. Sahil Sharma, DAG, Punjab.

SANT PARKASH J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

This civil writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.4 and 5 to release the retiral benefits such as gratuity, leave encashment etc. along with interest.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner retired from the services of the Society on 31.01.2017, however, as on date has not been given all his retiral benefits.

The petitioner approached respondents No.4 and 5, but as on date, the matter has not been decided nor retiral dues have been

released in its entirety to the petitioner.

Notice of motion.

At this stage, Mr. Sahil Sharma, DAG, 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 31.01.2017. The petitioner, though retired in January, 2017, is still claiming the release of his retiral dues under the terms of gratuity, leave encashment and others benefits and has also approached the Department on several occasions, apart from sending legal notice dated 16.09.2020 and moving representation dated 15.01.2020. Since the prayer of the petitioner is limited to the extent of release of his retiral benefits, this petition is being disposed of, by giving a direction to the respondents to consider the case of the petitioner along with legal notice and decide the same 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.

October 26, 2020

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**(SANT PARKASH)
JUDGE**

whether speaking/reasoned: Yes/No

whether reportable: Yes/No