

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

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CWP No.36816 of 2019

Date of Decision : 05.02.2020

Makhan Lal Aggarwal

....Petitioner

v/s

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present: Mr. Gunjan Rishi, Advocate for the petitioner.

B.S. Walia, J. (Oral)

[1] Prayer in the writ petition under Articles 226/227 of the Constitution of India is for the issuance of a writ in the nature of mandamus for directing the respondents to release the salary of the petitioner for the period 02.06.2011 to 05.12.2011, 02.07.2012 to 06.08.2012, 21.01.2015 to 19.05.2015, 20.05.2015 to 19.06.2016, as also General Provident Fund accumulations. Prayer is also for the issuance of a writ of certiorari for quashing order (Annexure P-7) dated 21.06.2016, rejecting the prayer for release of salary from 28.01.2015 to 19.05.2015.

[2] At the outset, learned counsel for the petitioner states that he does not press the writ petition *qua* prayer for release of salary as also *qua* order (Annexure P-7) and would pursue his remedy in respect thereto, in accordance with law, before the authorities/appropriate forum. Learned counsel however states that despite services of the petitioner having been terminated vide order dated 19.06.2016 accumulations on account of General Provident Fund have not been released to the petitioner, till date. Therefore, the petitioner would be

satisfied, if respondent No.3 is directed to consider and decide the claim of the petitioner for release of General Provident Fund accumulations.

[3] Notice of motion to respondent No.3 only.

[4] Mr. Harish Rathee, learned Senior Deputy Advocate General, Haryana, accepts notice on behalf of respondent No.3, waives service and states that he has no objection to the limited prayer of learned counsel for the petitioner.

[5] Without commenting upon the merits of the claim or the entitlement of the petitioner to the relief claimed, the writ petition is ***disposed of*** by directing respondent No.3 to consider and decide in accordance with law the prayer of the petitioner for release of General Provident Fund accumulations within a period of 03 months from today. In case, the petitioner is entitled to release of General Provident Fund accumulations, the amount as per entitlement be released to the petitioner within a period of 04 weeks thereafter, failing which, the same shall carry interest @ 7.5% per annum with effect from the date of entitlement, till date of payment.

(B.S. Walia)
Judge

February 05, 2020

'Rajneesh'

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