

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

**CWP-1995-2021 (O&M)
Date of Decision: 29.01.2021**

Bikkar Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. P.K.Goklaney, Advocate,
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

The grievance of the petitioner in the instant writ petition is qua non grant of his pension and other retiral benefits i.e. Gratuity, Provident Fund and Leave Encashment etc. for the entire service rendered by him, allegedly in violation of Punjab Municipal Employees Pension and General Provident Fund Rules, 1994 as also the law laid down by this Court in Gurmail Singh Vs. State of Punjab &Ors. (CWP No. 14433 of 2011, decided on 27.05.2015).

2. Petitioner pleads that he joined service as Technician Grade-I on regular basis on 07.09.1988. Later, his services were transferred to Municipal Council, Ferozepur on 02.08.2005. Still later, he was sent on deputation to Punjab Water Supply and Sewerage Board. He retired on 31.10.2020 on attaining the age of superannuation from Municipal Council, Ferozepur. However, his due retiral benefits have not disbursed to him. Legal notice dated 22.11.2020 (Annexure P-12) is stated to have been served, but the same has not been responded by the respondents so far.

According to petitioner, discriminatory yardstick has been adopted as similarly situated other employees were accorded the retiral benefits.

3. Learned counsel for the petitioner submits that he would be satisfied, at this stage, if a final decision is taken by the competent authority on the legal notice dated 22.11.2020 (Annexure P-12).

4. Notice of motion.

5. Ms. Anju Sharma Kaushik, DAG, Punjab on service of advance copy of the petition joins proceedings and accepts notice on behalf of the respondent-State of Punjab.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 22.11.2020 (Annexure P-12) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order. Let the needful be done within a period of two month from today.

8. In case, favourable order is passed, the benefits thereof be accorded to the petitioner within a period of 02 months of passing of aforesaid order.

9. Disposed of accordingly.

January 29, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No