

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

CWP No.1443-2021

DATE OF DECISION : 22.01.2021

Pushpa Rani

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sameer Sachdeva, Advocate,
for the petitioner.

Mr. Nikhil Chopra, AAG, Punjab.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petition herein is under Article 226 of Constitution of India, *inter alia*, seeking issuance of a writ in the nature of mandamus directing the respondents to release the General Provident Fund amount along with interest, which was withheld due to pendency of an appeal filed by petitioner against his conviction order, passed by learned Additional Sessions Judge, Ferozepur.

2. Learned counsel for the petitioner submits that petitioner also caused issuance of a legal notice dated 15.10.2020 (Annexure P-6) but to no avail. Hence, the instant petition.

3. Learned counsel for the petitioner submits that he would be satisfied, at this stage, if a final decision is taken on the legal notice dated 15.10.2020 (Annexure P-6).

4. Notice of motion.

5. Mr. Nikhil Chopra, AAG, Punjab, joins proceedings on service of advance copy of this petition 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 15.10.2020 (Annexure P-6) 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, in accordance with law, as expeditiously as possible but not later than 8 weeks from today.

8. In case, favourable order is passed, the disbursement of the legitimate dues shall be made to the petitioner within a period of 30 days of passing of aforesaid order, failing which, the petitioner shall be entitled to penal interest @ Rs.12% per annum, to be recovered from the salary of the erring official.

9. Disposed of accordingly.

January 22, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No