

114

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

CWP-6323-2021

Date of decision : 18.03.2021

Harbhajan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Raman Goklaney, Advocate for the petitioner.

(The proceedings are being conducted through video
conferencing, as per instructions)

G.S. SANDHAWALIA, J. (ORAL)

The petitioner seeks release of retiral benefits such as Gratuity, Leave Encashment etc. as per demand raised in the legal notice dated 11.01.2021 (Annexure P-3) on account of his retirement from the services from the office of respondent No.6 on 30.11.2020 alongwith interest after rendering 43 years of service with the respondents on non-pensionable job.

Learned counsel for the petitioner submits that he will be satisfied if the respondents be directed to decide his legal notice within the fixed time frame.

Notice of motion.

Ms. Simran Grewal, Assistant Advocate General, Punjab,
accepts notice on behalf of respondent Nos.1 to 4, the official respondents.

Perusal of the legal notice as such would go on to show that the petitioner had joined the services of respondent No.5 and thereafter was transferred to respondent No.6. After having rendering services from 03.11.1977, he has retired. In such circumstances, the claim has been made.

Keeping in view the fact that decision making is still incomplete, this Court does not feel it necessary to call upon the State to file its reply as it would delay the decision making process.

Accordingly, without commenting upon the entitlement of the petitioner as such on merits, the present writ petition is disposed of with direction to respondent No.4 to decide the legal notice of the petitioner, for the claim raised. The said process be completed within a period of two months from the date of receipt of certified copy of the order. In case the amounts are found due, the payment be made within six weeks, thereafter, alongwith 6% per annum.

The writ petition is disposed of with the abovesaid directions.

18.03.2021

Pawan

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**