

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr.No.112

Civil Writ Petition No.8124 of 2021

Date of Decision: 09th April, 2021.

Moti Ram

...Petitioner

Versus

State of Punjab & Others

...Respondents

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present: Mr. Varun Dhawan, Advocate,
for the petitioner.

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MEENAKSHI I. MEHTA, J. (ORAL)

By way of this petition, the petitioner has approached this Court for seeking the relief of the issuance of a writ in the nature of mandamus directing the respondents to release his balance retiral benefits and also to pay interest thereon for causing delay in the payment thereof, while averring that he superannuated from the office of respondent No.3 on 31.05.2019 after putting in the service for almost four decades and a sum of Rs.9,50,000/- has been released to him by the respondents in lieu of his retiral benefits but the remaining amount of the said benefits has not been paid to him and though, he served legal notice dated 24.03.2021 (Annexure P-3) to the respondents for seeking the redressal of his above-discussed grievance but no action has yet been taken thereupon.

Ms. Anju Sharma Kaushik, Deputy Advocate General, Punjab,
has joined the proceedings on behalf of all the respondents in this case, in

pursuance of the copies of this petition having been sent to the respondent-State in advance.

Heard.

Learned counsel for the petitioner submits that the petitioner would be satisfied in case a direction is issued to respondent No.3 to look into and deal with/decide his said legal notice within some specific time-frame.

Learned State counsel has no objection for the same.

Keeping in view the above-discussed limited prayer of learned counsel for the petitioner and without commenting upon the merits of the matter in hand, the instant writ petition is hereby disposed of with a direction to respondent No.3-the Executive Officer, Nagar Council, Bagha Purana, District Moga, to look into and deal with/decide the said legal notice of the petitioner (Annexure P-3), in accordance with law/relevant Rules, by passing a speaking order thereon, within a period of two months from the date of receipt of the certified copy of this order.

It is further directed that if consequent upon the decision on his said legal notice, the petitioner is found to be entitled to the release of the amount as claimed by him to be due to him on account of his balance retiral benefits, the same shall be released to him within one month thereafter.

(MEENAKSHI I. MEHTA)
JUDGE

09.04.2021.
seema

Whether speaking/reasoned?	Yes/No
Whether Reportable?	Yes/No