

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

119

=====

IN VIRTUAL COURT

=====

**CWP No. 12845 of 2021
Decided on: 15.7.2021**

Rajinder Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Vikram Singh, Advocate, for the petitioners

Rajbir Sehrawat, J.(Oral)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to release the retiral benefits of the petitioner including GPF, Leave Encashment, LTC pending since 2014, Gratuity and salary for the period of two months i.e. June and July 2019 along with interest @ 24 % per annum, as the same has been withheld without issuing any notice and without giving any opportunity of hearing and without passing any office order in this regards which is against the principal of natural justice and settled preposition of law. In alternative, the prayer of the petitioner is that respondent No.2 be directed to decide the legal notice dated 4.5.2021 (Annexure P-5) served by him.

Counsel for the petitioner submits that the petitioner would be satisfied if the respondents take a conscious decision on the legal notice of the petitioners dated 4.5.2021 (Annexure P-5) and pass a speaking order thereon, within a time frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. AG, Haryana accepts notice on behalf of the respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.3 to decide the legal notice of the petitioner dated 4.5.2021 (Annexure P-5) and take a conscious decision thereon by passing a speaking order; within a period of 3 months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to him within a further period of 3 months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

15.7.2021

Ashwani

Speaking/Non-speaking : Yes/No
Reportable/Reasoned : Yes/No