

CWP-14064-2021

Date of decision: 15.11.2021

Gurmeeet Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Parvinder Singh, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The petitioner has invoked the jurisdiction of this Court in terms of Articles 226/227 of the Constitution of India seeking prayer by way of writ of *mandamus* for issuance of directions to the respondents to re-calculate/re-fix the last pay drawn of the petitioner at the time of his retirement i.e. 26.04.2007 (P-3) by considering the fact that the increments for the years 2004 to 2007 and one increment after completion of 24 years of service has not been given to the petitioner thus his last pay drawn has been illegally fixed (P-8) by ignoring the fact that though departmental inquiry was pending against the petitioner at the time of his retirement but vide order dated 16.12.2011/26.12.2011 (P-4) passed by respondent No.2 only

an amount of Rs.1,287,436.50/- was ordered to be deducted from the gratuity and no order withholding any increment was passed by the respondent No.2 though on the same set of allegations the petitioner was also acquitted by the Court of learned Addl. Chief Judicial Magistrate, SBS Nagar vide judgment dated 13.01.2012 (P-5).

Notice of motion to the official respondents.

Ms. Kanica Sachdeva, AAG, Punjab puts in appearance and accepts notice on behalf of the respondents-State. Copy supplied.

Heard.

Upon hearing learned counsel of both the sides and on perusal of the records, the present petition stands disposed off with the directions to the official respondents to consider the representations dated 12.04.2017; 25.04.2017 and 23.07.2021 (Annexures P-11 to P-13, respectively) moved by the petitioner and decide the same in accordance with law, by passing a speaking order preferably within a period of one month from the date of receipt of the certified copy of this order.

If found entitled and if there is no impediment for the release of payment, the same be granted to the petitioner without any delay, as per law.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

15.11.2021

Neha

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No