

(In virtual Court)

CWP No.19936 of 2021 (O&M)

Date of Decision: 01.10.2021

BRIJ PAL SINGH

.....Petitioner

Versus

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. S.K. Verma, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to release the PF amount of Rs.3,87,719/-, which the respondents had deducted from salary of the petitioner w.e.f. 1995 to 2008 and further from 2008 to 28.02.2010, but did not deposit the same in the PF account of the petitioner, with interest @ 18% per annum from the date of deduction till actual payment, with a further prayer to direct the respondents to release the development allowance of Rs.13900/- w.e.f. 01.09.2019 to 31.08.2021 with interest @ 18% per annum from the date of accrual till actual payment. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal representation of the petitioner dated 06.12.2019 (Annexure P-3) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious

decision on the legal representation of the petitioner dated 06.12.2019 (Annexure P-3) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. Advocate General, 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.2 to decide the legal representation of the petitioner dated 06.12.2019 (Annexure P-3) and take a conscious decision thereon by passing a speaking order; within a period of three 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 the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

01.10.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No