

[130] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25834-2021

Date of Decision :17.12.2021

Kulwinder Kumar and Ors.

...Petitioners

Versus

State of Punjab and Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. J.S. Mohri, Advocate for the petitioners.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Articles 226 / 227 of the Constitution of India, is for the issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to release the contribution made by the petitioners to the Contributory Provident Fund along with interest accrued thereon in the light of decisions of this Court in CWP No.29907 of 2018 in case titled as Subash Chand Vs. State of Punjab and Ors. decided on 14.01.2019 and CWP No.2503 of 2020 in case titled as Avtar Singh and Ors. vs. State of Punjab and Ors. decided on 30.01.2020 or in the alternative, the respondents be directed to decide the claim made in the legal notice, Annexure P/6 dated 22.09.2021.

[2] Notice of motion to respondent No.2 only.

[3] Ms. Anju Arora, Addl. A.G., Punjab accepts notice on behalf of respondent No.2 and on perusal of the writ petition states that she has no objection to the limited alternative prayer made by learned counsel for the petitioners to decide legal notice, Annexure P/6 dated 22.09.2021.

necessity to seek reply in the matter.

[5] Accordingly, in the light of the position noted above as well as statement of learned counsel for the parties but without commenting upon the merits of the case, the writ petition is *disposed of* by directing respondent No. 2 to consider and decide the claim made in the legal notice Annexure P-6 dated 22.09.2021, in accordance with law by taking into account the decisions of this Court as referred to above in case the same are applicable and have attained finality within four months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

17.12.2021

'Amit'

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