

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(123)

CWP No. 8375 of 2022

Date of Decision : 25.04.2022

Balwant Singh

....Petitioner

Versus

Union of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Shashi Kumar Yadav, Advocate for the petitioner.

Mr. Somesh Gupta, Senior Panel Counsel
for the respondent-UI.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the service benefits for which the petitioner is entitled for such as provident fund contribution (employee's share) has not been released to the petitioner despite the fact that the petitioner was removed from service 17 years ago. Learned counsel for the petitioner submits that as per letter dated 10.12.2019 (Annexure P-8) written by the respondents, the record is not available and the same is being looked for. Learned counsel further submits that the respondents are delaying the release of the benefits for which the petitioner is entitled for hence, appropriate direction be given to the respondents to pass appropriate order on the prayer of the petitioner for the release of the benefits for which he is entitled in the facts and circumstances

Learned counsel for the petitioner submits that the grievance raised in the present petition has also been raised by the petitioner in the representation dated 22.08.2019 (Annexure P-6), which is pending with the respondents and is not being taken to the logical end and therefore, petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to finally decide the said representation dated 22.08.2019 (Annexure P-6) and grant the petitioner the benefits for which he is entitled for, in a time bound manner.

Mr. Somesh Gupta, learned Senior Panel Counsel, Union of India, who is present in Court, accepts notice on behalf of respondent-UOI and raises no objection in deciding the representation dated 22.08.2019 (Annexure P-6) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in his representation, respondent No. 1 is directed to decide the representation dated 22.08.2019 (Annexure P-6) by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

April 25, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes/No*
Whether reportable? *Yes/No*