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

CWP-9722-2022

Date of Decision: 09.05.2022

Pawan Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that though in the present case, the petitioner has been convicted by the competent Court of law and thereafter he was dismissed from service, but still the employee's share in the Provident Fund of the petitioner, which was deducted from his salary and deposited in his Provident Fund, cannot be withheld by the respondents and the respondents are under an obligation to release the same to the petitioner.

Learned counsel for the petitioner further submits that the same grievance has also been raised by the petitioner before respondent No.2 by serving legal notice dated 04.03.2022 (Annexure P-4), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.2 to decide the said legal notice dated 04.03.2022, by passing an appropriate speaking order.

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 04.03.2022 (Annexure P-4) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 04.03.2022 (Annexure P-4), this petition is disposed of with a direction to the respondent No.2 to pass an appropriate speaking order on the legal notice dated 04.03.2022 (Annexure P-4), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

09.05.2022*Apurva***(HARSIMRAN SINGH SETHI)****JUDGE**

1. Whether speaking/reasoned : Yes

2. Whether reportable : No