

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 15574 of 2022 (O&M)
Date of Decision:21.07.2022

Gurcharan Singh

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Harjot Singh Bedi, Advocate
for the petitioner.

Ms. Maloo Chahal, DAG., Punjab.

LISA GILL, J(Oral).

Prayer in this writ petition is for a direction to the respondents to release entire pending retiral dues/ pending salary viz., gratuity, leave encashment etc., of the petitioner as the same are being withheld without any rhyme or reason.

It is submitted that petitioner retired on 30.09.2015 as Patwari from the Department of Revenue, Punjab, but his retiral benefits are not being released without any justification. It came to light that retiral benefits were not being released as formal order of retirement had not been passed. Formal order of retirement was ultimately passed on 19.12.2017 but still retiral benefits were not released. Pursuant to legal notice dated 22.12.2020, Annexure P-3, the Deputy Commissioner, Ludhiana, was asked to look into the matter, however till date the petitioner has not received his retiral dues. It

is submitted that there is no impediment for release of the petitioner's retiral dues which are being withheld for no rhyme or reason.

At this stage, learned counsel for the petitioner restricts the prayer for a decision on legal notice dated 22.12.2020 (Annexure P-3), in a time bound manner.

Notice of motion.

Ms. Maloo Chahal, DAG., Punjab, accepts notice on behalf of the respondents. Advance copy of the writ petition stands served. Learned counsel for the respondents does not raise any serious objection to the restricted prayer addressed.

Keeping in view the limited prayer addressed, facts and circumstances of the case but without expressing any opinion on the merits thereof, this writ petition is disposed of with a direction to the competent authority, to decide legal notice dated 22.12.2020, Annexure P-3 filed by the petitioner by passing a speaking order, within three (03) months from the date of receipt of certified copy of this order. In case, petitioner is found entitled to any monetary benefit, same be released to him in accordance with law within the next two months.

21.07.2022

s.khan

[LISA GILL]

Judge

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