

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

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CWP No.18925 of 2022

Date of decision : 26.08.2022

Surinder Pal

....Petitioner

V/s

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. H.S. Dhindsa, Advocate for the petitioner.

Ms. Ambika Bedi, AAG Punjab.

VIKAS SURI, J. (Oral)

Learned counsel for the petitioner *inter alia* contends that the petitioner superannuated as Junior Assistant from Municipal Council, Dhariwal, District Gurdaspur on 31.10.2020 and till date, his complete retiral dues have not been released. Counsel further submits that Punjab Civil Services Rules governed the service conditions of the petitioner. He refers to Rule 9.5 of Punjab Civil Services Rules, Volume-II, to urge that it was for the employer to process the pension papers at least six months prior to the date of retirement and refers to the 'No Objection Certificate' dated 08.01.2021 issued after 10 months of his retirement. Learned counsel, on instructions, has restricted his prayer at this stage that the petitioner would be satisfied in case the legal notice dated 24.03.2022 (Annexure P-11), is considered and decided by passing a speaking order in a time bound manner, including his claim for grant of interest on delayed payment of arrears of retiral dues.

Ms. Ambika Bedi, AAG Punjab, accepts notice on behalf of respondent Nos.1 to 3 and waives service. Advance copy of the writ petition

stands served. She submits that though Municipal Authorities work under the control and supervision of Local Government, Punjab, but they have their own panel of Advocates. However, it is submitted that there is no difficulty in accepting the innocuous prayer of the petitioner for consideration of his claims in a time bound manner, keeping in view that he is retired government employee seeking retiral benefits.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice, respondent No.4 is directed to consider and decide the legal notice dated 24.03.2022 (Annexure P-11) and the claim for payment of interest on arrears of retiral benefits by treating this petition as representation, in accordance with law, by passing a speaking order within a period of six weeks from the date of receipt of certified copy of this order. In case, after the decision, the petitioner is found entitled for any benefits, the same be also extended to him within a period of four weeks thereafter, as per law.

The petition stands disposed of accordingly.

(VIKAS SURI)
JUDGE

August 26, 2022
Ajay

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