

121.

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

CWP-22690-2022

Date of Decision: 29.09.2022

SUKHJINDER SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Baljeet Singh Sidhu, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

The petitioner herein is seeking directions to the respondents to release the amount deposited by him towards Contributory Provident Fund along with interest accrued thereon.

The petitioner was appointed on the post of Special Police Officer on daily wages on 05.10.1990 and was found eligible to be absorbed on the post of Constable on 21.05.2010. Since the year 2004, a new Contributory Pension Scheme was introduced, therefore, the petitioner, who had made contributions under the CPF, now seek refund of the same in terms of the orders passed in CWP-15003-2020 titled as *Parveen Kumar and others Versus State of Punjab and others*, decided on 21.09.2020 and CWP-475 of 2021 titled as *Sohan Lal and others Versus State of Punjab and others*, decided on 11.01.2021. For redressal of his grievance, the petitioner has already served a legal notice dated 13.05.2021 (Annexure

P-3) upon respondent No.2, but till date no decision has been taken thereon. Counsel for the petitioner would submit that at this stage, the petitioner would be satisfied in case his legal notice is decided, in accordance with law, in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, accepts notice on behalf of the respondents and would submit that the respondents will look into the matter and will take a decision on the legal notice of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to respondent No.2 to decide legal notice dated 13.05.2021 (Annexure P-3) of the petitioner within a period of three months from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

29.09.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No