114 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26923-2021
Date of Decision : 05.01.2022

Sukha Singh …Petitioner

Versus

State of Punjab and others ….Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

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

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B.S. Walia, J. (Oral)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Articles 226 / 227 of the Constitution of India, is for the issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to release the contribution made by the petitioner towards Contributory Provident Fund along with interest accrued thereon.

3. At the outset, learned counsel contends that the petitioner has served legal notice, Annexure P/4 dated 13.05.2021 on respondent No.2 but no decision has been taken on the same till date and that in the circumstances, the petitioner would be satisfied, if the instant petition is disposed of by directing respondent No.2 to consider and decide legal notice, Annexure P/4 dated 13.05.2021, in a time bound manner.

4. Notice of motion to respondent No.2 only.

5. Mr. Ayush Sarna, AAG, Punjab accepts notice on behalf of

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respondent No.2 and on perusal of the writ petition states that he has no objection to the limited prayer made by learned counsel for the petitioner.

6. In view of the nature of order proposed to be passed, no reply is necessary.

7. Accordingly, in the light of the position noted above as well as statement of learned counsel for the parties but without commenting upon the merits of the case, the writ petition is disposed of by directing respondent No. 2 to consider and decide the claim made in legal notice Annexure P/4 dated 13.05.2021, in accordance with law after taking into account all aspects of the matter, within four months from the date of receipt of certified copy of this order. Needless to mention in case the petitioner is found entitled to the benefit claimed, the same be released to him within a period of four weeks thereafter.

(B.S. Walia)
Judge

05.01.2022
rajesh

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

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