120.

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-25756-2022
Date of Decision: 14.11.2022

NARPAL 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)

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to release the amount of CPF contributions made by the petitioner w.e.f. 30.01.2009 to 31.12.2018.

It is submitted that the petitioner was appointed as temporary Special Police Officer on 18.08.1992 and was absorbed on regular basis to the post of Constable in the year 2002. 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.

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Counsel appearing on behalf of the petitioner would submit that for redressal of his grievance, the petitioner has already served a legal notice dated 13.05.2021 (Annexure P-4) upon respondent No.2, but till date, no decision has been taken thereon. Counsel would submit that at this stage, the petitioner would be satisfied in case his legal notice is decided in a time bound manner, in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

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

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to respondent No.2 to decide legal notice dated 13.05.2021 (Annexure P-4) 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

14.11.2022
sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No

SANJEEV KUMAR
2022.11.15 12:55
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