

133.

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

CWP-29575-2022

Date of Decision: 21.12.2022

JAGTAR SINGH AND ANR

.... Petitioners

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

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 deposited by the petitioners towards Contributory Provident Fund along with interest accrued thereon.

It is submitted that the petitioners were appointed as temporary Special Police Officers in the year 1992-1994 and thereafter, they were absorbed on the post of Constable on different dates between the year 2006-2007. Since the year 2004, a new Contributory Pension Scheme was introduced, therefore, the petitioners, 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-13368 of 2020 titled as *Sanjiv Kumar and others Versus State of Punjab and others*, decided on 02.09.2020.

Counsel appearing on behalf of the petitioners would submit that for redressal of their grievance, the petitioners have already served a legal notice dated 23.09.2021 (Annexure P-3) upon the respondents, but till date, no decision has been taken thereon. Counsel would submit that at this stage, the petitioners would be satisfied in case their 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 petitioners, the present petition is disposed of with a direction to the respondents to decide legal notice dated 23.09.2021 (Annexure P-3) of the petitioners 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 petitioners. 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

21.12.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No