

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

108

**CWP-332 of 2023**

**Date of Decision: 10.01.2023**

Ramesh Kumar

....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. APS Sidhu, Advocate, for  
Mr. Surinder Garg, Advocate,  
for the petitioner.

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**JASGURPREET SINGH PURI, J. (Oral)**

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *mandamus* directing the respondent No. 4 to pay the interest at the rate of 18% per annum on the delayed payment of retiral benefits of the petitioner.

It has been submitted by the learned counsel for the petitioner that the retiral benefits have been paid to the petitioner with undue delay and the petitioner is entitled for the grant of interest. He further submitted that apart from the above, the Municipal Council had deducted home loan installments from the retiral benefits of the petitioner but the same has not been deposited with the bank, with the result that acute prejudice has been caused to the petitioner and therefore he is entitled to the aforesaid amount alongwith interest as well. He submitted that the legal notice dated 31.10.2021 has been given to the concerned authorities vide Annexure P-3, but the same has not

been considered or decided as yet.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of respondents No. 1 to 3 and Ms. Deepali Puri, Advocate who is present in Court has caused appearance on behalf of respondent No. 4-Municipal Corporation, Gidderbaha and have stated that they have no objection in case the legal notice Annexure P-3 issued by the petitioner is considered and decided by the competent authority, i.e. the Municipal Council in accordance with law.

In view of the aforesaid position, this Court deems it fit and proper to dispose of the present petition without calling for reply from the Municipal Council or any other authority since the prayer is made only for deciding of the legal notice. Therefore, without observing anything on the merits of the case, respondent No.4 is directed to consider and decide the legal notice dated 31.10.2021 (Annexure P-3) strictly in accordance with law by passing a speaking order within a period of three months from today.

The present petition stands disposed of.

**(JASGURPREET SINGH PURI)**  
**JUDGE**

**January 10, 2023**

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|--------------------|---|--------|
| Whether speaking   | : | Yes/No |
| Whether reportable | : | Yes/No |