

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-358-2023 (O&M)
Date of decision: 16.11.2023

Jagbir ChandPetitioner

V/s

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Rajvir Singh Sihag, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

CM-18839-CWP-2023

This is an application under Section 151 CPC for preponement of the main case i.e. CWP-358-2023, which is coming up for hearing on 13.02.2024.

Mr. Anil Kumar Sharma, Advocate has put in appearance on behalf of the respondents and made no objection to the prayer made by learned counsel for the applicant-petitioner.

For the reasons mentioned in the application, same is allowed and the main case is taken on board today itself for hearing.

Main case

The instant writ petition 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 pay the entire amount of mandatory dues towards Provident Fund due and payable to the petitioner along with interest @ 12% per annum

and with a further directions to the respondents to pay interest @ 12% per annum on the outstanding amount of Provident Fund dues till final payment is made.

At the very outset, learned counsel for the petitioner submit that at this stage, the petitioner would be satisfied in case his letter/representation dated 20.12.2022 (Annexure P-1), submitted before respondent No.3, be decided in a time bound manner, keeping in view the order dated 28.02.2022 (Annexure P-2) passed by respondent No. 3 itself.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 & 2 and Mr. Rakesh Roy, Advocate for Mr. Abhilaksh Gaind, Advocate has put in appearance in the Court, accepts notice on behalf of respondent No.3 and do not object to the prayer made by learned counsel for the petitioner.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the letter/representation dated 20.12.2022 (Annexure P-1), respondent No.3 is directed to decide the same, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the abovesaid letter/representation, necessary disbursement of funds shall be made to the petitioner within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

16.11.2023
Sapna