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

CWP-1616-2023

Date of Decision: 27.01.2023

Dr. Beant Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jatin Salwan, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus for directing the respondents to release the pensionary benefits of the petitioner which have been finalized by the office of Accountant General (A&E), Punjab and U.T., Chandigarh with a further prayer for issuance of direction/order to the respondents to pay interest @12% p.a. on the delayed payments of the pensionary benefits.

Learned counsel for the petitioner has submitted that the petitioner had retired as Professor of Gynaecology in Government Medical College and Rajendra Hospital, Patiala on 30.04.2022 and till date his pensionary benefits including the pension have not been paid to the petitioner and there is no impediment for non-disbursement of the pensionary benefits and pension. He further submitted that the petitioner

had issued a legal notice vide Annexure P-4 dated 24.12.2022, but neither any reply has been filed by the State nor the same has been considered and decided by the concerned authority. He also submitted that at this stage he will be satisfied in case a direction is issued to the respondents to consider and decide the legal notice given by the petitioner vide Annexure P-4 in accordance with law within a time bound manner.

Notice of motion.

Ms. Ambika Bedi, AAG, Punjab, accepts notice on behalf of the respondents/State and has stated that she has no objection in case the aforesaid limited prayer of the petitioner is considered and a direction may be issued to the respondents to consider the legal notice of the petitioner and decide the same in accordance with law.

I have heard the learned counsel for the parties.

In view of the aforesaid factual position and without observing anything on the merits of the case, this Court is of the view that at this stage the present writ petition can be disposed of with a direction to the respondents to consider and decide the legal notice (Annexure P-4) given by the petitioner in accordance with law.

Consequently, it is directed that respondent No.2-Director, Research and Medical Education, Punjab, Sector-69, Sahibzada Ajit Singh Nagar, Punjab, Mohali shall consider and decide the legal notice dated 24.12.2022 (Annexure P-4) given by the petitioner in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

Needless to say that in case the petitioner is found to be entitled

for the aforesaid benefits then the same shall be released to him within a period of three months after calculating the same in accordance with law along with interest.

The present petition stands disposed off.

27.01.2023

(JASGURPREET SINGH PURI)

JUDGE

Bhumika

1. Whether speaking/reasoned:

Yes/No
2. Whether reportable:

Yes/No