

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

113

**CWP-3881 of 2023
Date of Decision: 24.02.2023**

Harbans Singh Bhatti

....Petitioner(s)

Versus

State of Punjab andn another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Rampal, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to release the gratuity and complete leave encashment alongwith interest on the delayed payments and other retiral benefits to the petitioner.

Learned counsel for the petitioner submitted that the petitioner had retired in the month of February 2019 and his retiral benefits were not paid to him and in this regard he had also served a legal notice dated 04.01.2023 (Annexure P-5) but some benefits have been released to the petitioner and some of them have not been released till date. He submitted that at this stage he confines the scope of the present writ petition only to the extent that the legal notice of the petitioner may be considered and decided by the competent authority in accordance with law within a time bound framework.

Notice of motion.

Ms. Akshita Chauhan, learned DAG, Punjab accepts notice on behalf of respondent No.1 and Mr. Abhilaksh Gaind, Advocate also accpets noitce on behalf of respondent No.2 and states that the legal notice which has been issued by the petitioner will be considered and decided in accordance with law as expeditiously as possible.

I have heard the learned counsel for the parties.

In view of the aforesaid position, wherein learned counsel appearing on behalf of respondent No.2 who is the competent authority has submitted that the legal notice (Annexure P-5) issued by the petitioner would be considered and decided in accordance with law as early as possible and the prayer of the petitioner is also at this stage to the extent that his legal notice may be decided, this Court deems it fit and proper and without observing anything on the merits of the case, to direct that respondent No.2 shall decide legal notice dated 04.01.2023 (Annexure P-5) 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 benefits, then the same shall be paid to the petitioner within a period of three months thereafter alongwith interest @ 6% per annum.

Petition stands disposed of with the above directions.

(JASGURPREET SINGH PURI)
JUDGE

February 24, 2023
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No