

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

\*\*\*

**CWP-6927-2023  
Date of Decision: 10.04.2023**

Karam Pal

..... Petitioner

Versus

State of Punjab and another

..... Respondents

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

Present: Mr. Nitesh Singla, Advocate for the petitioner.

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

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus for directing the respondents to release the pensionary benefits i.e. Gratuity, Leave Encashment along with interest @9% p.a. on the delayed payments of the pensionary benefits.

Learned counsel for the petitioner has submitted that the petitioner had retired as Peon from the respondent-Nagar Council on 31.10.2022 and till date the pensionary benefits have not been paid to the petitioner and there is no impediment for non-disbursement of the same. He further submitted that the petitioner has filed a representation vide Annexure P-2 dated 23.01.2023, but neither any reply has been filed by the respondent-Nagar Council 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 respondent No.4 to consider and decide the representation filed by the petitioner vide Annexure P-2 in

accordance with law within a time bound manner.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of respondent Nos.1 to 3.

At this stage, Mr. Vikram Preet Arora, Advocate has caused appearance and accepted notice on behalf of respondent No.4 and has stated that he has no objection in case a direction is issued to respondent No.4 for considering and deciding the representation filed by the petitioner vide Annexure P-2 in accordance with law and within a time framework.

I have heard the learned counsel for the parties.

The limited prayer of the petitioner in the present case at this stage is that his representation (Annexure P-2) has not been considered and no order has been passed on the same till date.

In view of the aforesaid position and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.4 to consider and decide the representation filed by the petitioner vide Annexure P-2 dated 23.01.2023 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 any benefit as prayed by her, then the same shall be released to her along with interest @ 6% p.a. within a period of two months thereafter.

10.04.2023

*Bhumika*

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

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable:        | Yes/No |