

CWP-7166-2023

2023:PHHC:050417

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

CWP-7166-2023

Date of Decision: 12.04.2023

Des Raj

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Harpal Singh, 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 a writ in the nature of mandamus for directing the respondents to release the remaining amount of service-cum-retirement dues of the petitioner including Gratuity, Revised Pay Scales from 01.01.2016, arrears of revised pay scales and all other benefits along with interest.

Learned counsel for the petitioner has submitted that the petitioner had retired as Junior Technician (Pump Operator) from the respondent-Department on 30.04.2022 and till date the service-cum-retirement dues including Gratuity, Revised Pay Scales 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 17.01.2023, but neither any reply has been filed by the respondent-Department 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.3 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 the respondents/State.

At this stage, Mr. Vikram Preet Arora, Advocate has caused appearance and accepted notice on behalf of respondent No.3 and has stated that he has no objection in case a direction is issued to respondent No.3 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.

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.3 to consider and decide the representation filed by the petitioner vide Annexure P-2 dated 17.01.2023 strictly 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 him, then the same shall be released to him along with interest @ 6% p.a. within a period of two months thereafter.

12.04.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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