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

**CWP-7395-2023
Date of Decision: 13.04.2023**

Om Parkash

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Bikramjit Singh Randhawa, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the respondents to immediately release the entire retiral benefits of the petitioner i.e. Gratuity, Leave Encashment, GPF, Provident Fund, Commutation of Pension, Pension along with arrears and other admissible benefits in the revised pay scale as per 6th Pay Commission Report along with interest @ 18% per annum with a further prayer for directing the respondents to correct/re-fix and re-calculate the entire retiral benefits of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had retired as Class-IV Safai Sewak from the respondent-MC on 30.06.2022 and till date the entire retiral benefits of the petitioner i.e. Gratuity, Leave Encashment, GPF, Provident Fund, Commutation of Pension, Pension have not been paid to him and there is no impediment for

non-disbursement of the same. He further submitted that a legal notice in this regard has been issued by the petitioner vide Annexure P-5 dated 14.02.2023. He also submitted that at this stage, the petitioner confines the scope of the present petition only to the extent that necessary direction may be issued to respondent No.4 to consider and decide the legal notice (Annexure P-5) issued by him in accordance with law and 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.4 and has stated that he has no objection in case a direction is issued to respondent No.4 for considering and deciding the legal notice issued on behalf of the petitioner vide Annexure P-5 in accordance with law and within a time framework.

I have heard the learned counsel for the parties.

In view of the above and considering the limited prayer of the petitioner 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 legal notice issued on behalf of the the petitioner vide Annexure P-5 dated 14.02.2023 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 her, then the same shall be released to her along

with interest @ 6% p.a. within a period of two months thereafter.

13.04.2023 (JASGURPREET SINGH PURI)
Bhumika JUDGE

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