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

CWP-8492-2023

Date of Decision: 25.04.2023

Varinder Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. D.S. Malwai, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. 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 service benefits of the petitioner i.e. Pension and Gratuity along with interest from the date of his retirement i.e. 31.03.2021.

2. Learned counsel for the petitioner has submitted that the petitioner had retired as District Education Officer from the respondent-Department on 31.03.2021 and till date the pension and 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-1 dated 16.05.2022, 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-1 in accordance with law within a time bound manner.

3. Notice of motion.

4. Ms. Akshita Chauhan, learned DAG, Punjab accepts notice on behalf of the respondents/State and has stated that she 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-1 in accordance with law and within a time framework.

5. I have heard the learned counsel for the parties.

6. 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-1 dated 16.05.2022 in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

7. 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.

25.04.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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