

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

**CWP-8671-2023
Date of Decision: 26.04.2023**

Manjit Singh

..... Petitioner

Versus

Punjab State Warehousing Corporation (PSWC)

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. J.P. Rana, 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* directing the respondents to immediately release Rs.6,27,911/- wrongfully withheld (from the gratuity and leave encashment of the petitioner) along with interest @ 21% per annum.

2. Learned counsel for the petitioner has submitted that the petitioner had retired as Technical Officer from the respondent-Corporation on 30.04.2011 on attaining the age of superannuation. He further submitted that an amount of Rs.6,27,911/- from Gratuity and Leave Encashment of the petitioner has been wrongly withheld by the respondent-Corporation. He also submitted that a legal notice in this regard has been issued by the petitioner vide Annexure P-10 dated 08.02.2023. He further submitted that at this stage, the petitioner confines the scope of the present petition only to

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the extent that necessary direction may be issued to the respondent-Corporation to consider and decide the legal notice (Annexure P-10) issued by him in accordance with law and within a time bound manner.

3. Notice of motion.

4. On asking of Court, Mr. Ashish Bansal, Advocate who is stated to be on the panel of respondent-Corporation accepts notice on behalf of the respondent-Corporation and stated that he has no objection in case a direction is issued to the respondent for considering and deciding the legal notice issued by the petitioner vide Annexure P-10 in accordance with law and within a time framework.

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

6. 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 the respondent-Corporation to consider and decide the legal notice issued by the petitioner vide Annexure P-10 dated 08.02.2023 strictly 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.

26.04.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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