

2023:PHHC:076169

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

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CWP No.11423 of 2023

Date of decision: 25.05.2023

TEK SINGH DAGAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Johan Kumar, Advocate
for the petitioner.

RAJ MOHAN SINGH , J.(ORAL)

The petitioner has preferred this writ petition for the issuance of an appropriate writ in the nature of mandamus, directing the respondents to release the amount of leave encashment, provisional pension and GPF amount admissible to the petitioner on his retirement along with interest in terms of Rule 12 and 81 of the Haryana Civil Services (Pension) Rules, 2016.

Precisely for the claim in question, the petitioner has already served a legal notice upon the respondent No.1 on 11.04.2023 but the claim of the petitioner has not been adverted to by the respondent No.1 so far.

Learned counsel for the petitioner refers to CWP

No.5964 of 2023 filed by one Raman Kumar, retired Chief Engineer in the respondent-Municipal Corporation whereas the petitioner is a retired Assistant Engineer. With reference to the aforesaid order dated 22.03.2023, learned counsel for the petitioner submits that the case of similarly situated employee namely Sh. D.R. Bhaskar, Chief Engineer has already been considered and accepted by the respondent No.1 on the same controversy.

At this stage, learned counsel for the petitioner further submits that the petitioner would be satisfied in case the present writ petition is also disposed of thereby directing the respondent No.1 to take note of pending legal notice of the petitioner dated 11.04.2023 in accordance with law in a time bound manner.

Notice of motion.

In the very nature of the prayer made by the petitioner, the service qua respondent No.2 and 3 is ordered to be dispensed with.

On the asking of the Court, Mr. Naveen Singh Panwar, DAG, Haryana accepts notice on behalf of the respondent No.1.

This writ petition is disposed of by directing the respondent No.1 to decide the legal notice of the petitioner

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dated 11.04.2023 in accordance with law preferably within a period of two months from the date of receipt of certified copy of this order.

25.05.2023
P.Bhatt

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No