

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

120

CWP No.11634 of 2023

Date of decision: 26.05.2023

LALIT MOHAN

...Petitioner

Versus

PSPCL AND ORS

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. J.S. Maanipur, Advocate with
Ms. Harpreet Kaur, Advocate and
Mr. Joypreet Meelu, 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 benefit of gratuity, leave encashment and commutation of pension on his superannuation w.e.f. 30.09.2022.

Learned counsel for the petitioner submits that no departmental enquiry or criminal prosecution is pending against the petitioner and the aforesaid benefits have been withheld without any justifiable reasons. There is no impediment in release of the retiral benefits to the petitioner in view of law laid down by this Court in ***Harbinder Singh vs. State of Punjab***

and others 2020(4) SCT 213.

Learned counsel for the petitioner further submits that the petitioner would be satisfied in case his representation dated 18.02.2023 filed before the respondent No.1 is ordered to be decided in accordance with law in a time bound manner.

Notice of motion.

At this stage, Mr. Pratap Singh Gill, Advocate appears and accepts notice on behalf of the respondents and submits that the representation of the petitioner dated 18.02.2023 shall be considered and decided in accordance with law preferably within a period of one month from the date of receipt of certified copy of this order.

Disposed of accordingly.

It is made clear that if the petitioner is found to be entitled for the relief in question, the same be released along with interest at the rate of 6% per annum after expiry of three months from the date of retirement till final realization of the amount.

26.05.2023

P.Bhatt

**(RAJ MOHAN SINGH)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No