

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

**CWP-15018-2022 (O&M)
Date of Decision: 11.04.2023**

Mehtab Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Ritesh Aggarwal, 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 release the pensionary benefits i.e. Pension, Gratuity, Leave Encashment and final payment of G.I.S. and G.P.F. etc. along with interest @18% p.a. on the delayed payments of the pensionary benefits.

Learned counsel for the petitioner has submitted that repeatedly representations have been given to the respondents-Department regarding the release of all the retiral benefits of the petitioner but no action has been taken in this regard by the respondents. He further submitted that a legal notice in this regard has been issued by the petitioner vide Annexure P-5 dated 14.03.2022. 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.5 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 and has stated that she has no objection in case a direction is issued to respondent No.5 for considering and deciding the legal notice issued by the petitioner vide Annexure P-5 in accordance with law and within a time framework.

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.5 to consider and decide the legal notice issued by the petitioner vide Annexure P-5 dated 14.03.2022 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 him, then the same shall be released to him along with interest @ 6% p.a. within a period of two months thereafter.

11.04.2023

Bhumika

(JASGURPREET SINGH PURI)

JUDGE

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