

CWP-14244-2023 (O&M)

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

**CWP- 14244-2023 (O&M)
Date of Decision: 07.07.2023**

Ajit Singh and others

... Petitioners

V/s.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Ms. Kriteka Sheokand, Advocate
for the petitioners.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioners seeking issuance of writ in the nature of mandamus for directing the respondents to release the 9% arrears of gratuity for the period of service rendered by the petitioners with the State of Punjab before their absorption with the Punjab State Tubewell Corporation in view of judgment dated 10.05.2018 passed in CWP-17408-2014 and CWP-17831-2014.

Learned counsel for the petitioners submits that the petitioners are retired tubewell operators from the office of respondent No. 2 and are aggrieved by the action of respondents in not releasing the arrear of gratuity for the period of service rendered by them with the State of Punjab. It is

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submitted that in the year 1982, the petitioners were transferred from Punjab state tubewell circle of irrigation branch to Punjab State tubewell corporation and were absorbed therein wef 10.12.1983. On superannuation, they were paid all retiral benefits except the leave encashment and gratuity for the period before absorption in the corporation. Learned counsel for the petitioner further submits that the petitioners have already raised the said grievance in the legal notice dated 13.05.2023 (Annexure P-4), which is still pending consideration with respondents and the petitioners will be satisfied at this stage, in case a direction is issued to respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

At this stage, on the asking of the Court, Mr. Anurag Bansal, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent Nos. 1, 3, 4 and 5 and raises no objection in deciding the legal notice dated 13.05.2023 in a time bound manner by passing an appropriate speaking order.

I have heard learned counsel for the parties and have gone through the record of the case.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notice, respondents are directed to decide the legal notice dated 13.05.2023 (Annexure P-4), by passing a speaking order within a period of four weeks from the receipt of copy of this order with a further direction that if the petitioners are found to be entitled to the claim mentioned in the legal notice, necessary disbursement of funds shall be

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made to them within a period of four weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

07.07.2023
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes /No</i>