

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14606-2023

Date of decision: 13.07.2023

Municipal Pensioners Welfare Association
V/s

.....Petitioner

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Komalpreet Singh, Advocate for
Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of Constitution of India for issuance of an appropriate writ, order or direction in the nature of mandamus directing the respondents to release the amount of fixed medical allowance, leave travel concession and medical reimbursement to the retirees of Municipal Council, Gurdaspur along with interest.

Learned counsel for the petitioner submits that various employees of Municipal Council, Gurdaspur, who have retired on different dates have not been paid their due benefits including fixed medical allowance, leave travel concession and medical re-imburement by respondent No.3. He submits that petitioner-association filed CWP-18883-2016 before this Court seeking mandamus to respondents to release the benefits as per Government instructions. He further submits that in reply, respondent No.3 submitted that the financial position of Municipal Council, Gurdaspur is not strong due to which delay was caused in payments and the same are being disbursed in due course. He again submits that the abovesaid CWP-18883-2016 was disposed of by this Court vide order dated 26.08.2019 (Annexure P-4) that if the petitioner-Association has any grievance, then it can approach the appropriate authority and if the payments are not released within reasonable time, then it can avail legal remedies. Learned counsel for the

petitioner further submits that petitioner has submitted a legal notice dated 12.05.2023 (Annexure P-7) to the respondents, which has not been taken into consideration till date and he would be satisfied if necessary directions are given for deciding the legal notice dated 12.05.2023 (Annexure P-7) in a time bound manner.

Notice of motion.

On asking of the Court, Mr, Arun Gupta, AAG Punjab, who is present in Court, accepts notice on behalf of the respondents No.1 and 2 and does not object to the prayer made by learned counsel for the petitioner.

Mr. Vikram Preet Arora, Advocate has put in appearance on behalf of the respondent No.3 and accepts notice on his behalf and does not object to the prayer made by learned counsel for the petitioner.

In view of the above and with the consent of both the parties present petition is disposed of with a direction to the respondent No.3 to decide the legal notice dated 12.05.2023 (Annexure P-7) submitted by the petitioner within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the retirees of Municipal Council, Gurdaspur are found to be entitled to claim mentioned in legal notice, necessary disbursement of funds shall be made to them within a period of 2 weeks thereafter.

(DEEPAK MANCHANDA)
JUDGE

13.07.2023
Sapna

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