

CWP- 15059-2023 (O&M)

-1-

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

CWP- 15059-2023 (O&M)
Date of Decision: 18.07.2023

Balish Kumar

... Petitioner

V/s.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Harpal Singh, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226/227 of the Constitution of India by the petitioner seeking issuance of writ in the nature of mandamus for directing the respondents to release the amount of revised pension, leave encashment, gratuity as well as arrears of revised pension and all other consequential benefits including the interest @ 18% per annum.

Learned counsel for the petitioner submits that the petitioner

CWP- 15059-2023 (O&M)

-2-

has retired as Fire Station Officer from Municipal Council Fazilka on 30.11.2021. After his retirement, the amount of service cum retirement dues for the period served by the petitioner was withheld by respondent No. 3 and only Municipal Council Fazilka has released its own share of service-cum-retirement dues to the petitioner. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the legal notice dated 17.05.2023 (Annexure P-7), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to the respondents 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. Arun Gupta, AAG, Punjab, who is present in the Court accepts notice on behalf of respondent Nos. 1, 2 and 5 and Mr. Sanjeev Soni, Advocate has put in appearance on behalf of respondent Nos. 3 and 4 and raise no objection in deciding the legal notice dated 17.05.2023 (Annexure P-7) 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 petitioner in the legal notice, respondents are directed to decide the legal notice dated 17.05.2023 (Annexure P-7), by passing a speaking order within

CWP- 15059-2023 (O&M)

-3-

a period of eight weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim mentioned in the legal notice, necessary disbursement of funds shall be made to him within a period of eight weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

18.07.2023
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Whether speaking/reasoned	Yes
Whether Reportable	Yes /No