

124 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14916-2023

Date of decision: 17.07.2023

Surinder Singh

.....Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Malkiat S. Hundal, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ of mandamus, directing the respondents to pay the entire amount of mandatory dues towards provident fund due payable to the petitioner along with interest.

Learned counsel for the petitioner contends that petitioner joined his service as Tracer in Municipal Corporation, Amritsar on 10.10.1980. He further submits that petitioner was promoted as Draftsman on 2000 and at the time of his retirement after attaining the age of superannuation on 30.06.2015, petitioner was posted as Head Draftsman. Learned counsel submits that petitioner was paid his dues amounting to Rs.10,37,851/- towards provident fund. However, when he came to know that Municipal Corporation has deducted his mandatory monthly contribution towards provident fund from his salary during the period 2013-14 to 2015-16 but the deducted amount was not deposited by Municipal Corporation in his provident fund account resulting into deficit payment of Rs.7,61,177/- including interest upto 2023. Learned counsel for the petitioner further submits that petitioner has submitted a representation dated 19.05.2023 (Annexure P-1) to

the respondent No.3, which has not been taken into consideration till date and he

would be satisfied if necessary directions are given for deciding the representation dated 19.05.2023 (Annexure P-1) in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab and Mr. Sanjeev Soni, Advocate, who are present in the Court, accepts notice on behalf of the respondents No.1 to 3 and do 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 representation dated 19.05.2023 (Annexure P-1) 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 petitioner is found to be entitled to claim mentioned in his representation, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

17.07.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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