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

**CWP-18231-2022 (O&M)
Date of Decision: 23.02.2023**

Purshottam Sachdeva @ Purshottam Dass Sachdeva

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

Mr. Vikram Preet Arora, Advocate
for respondent No.3.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to release the complete service-cum-retiral benefits along with interest @ 18% per annum for the delay in the payment of the same for which a representation dated 04.07.2022 (Annexure P-1) has also been submitted by the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had retired from the office of Municipal Council, Abohar now Municipal Corporation, Abohar on 31.03.2010 after attaining the age of superannuation, but at the time of retirement some of the benefits were not

paid to him because of the pendency of the FIR and in that FIR, the petitioner was acquitted on 05.03.2018 and after the acquittal the withheld retiral benefits have not been paid to the petitioner. He further submitted that at this stage, he confines the prayer only to the extent of seeking a direction to respondent No.3 to consider and decide the representation (Annexure P-1) filed by the petitioner in accordance with law and within a time bound manner.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of respondent Nos.1 & 2.

At this stage, Mr. Vikram Preet Arora, Advocate has caused appearance and accepted notice on behalf of respondent No.3 and has stated that he has no objection in case a direction is issued to respondent No.3 for considering and deciding the representation filed by the petitioner vide Annexure P-1 in accordance with law and within a time framework.

I have heard the learned counsel for the parties.

The limited prayer of the petitioner in the present case at this stage is that his representation (Annexure P-1) has not been considered and no order has been passed on the same till date.

In view of the aforesaid position and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.3 to consider and decide the representation filed by the petitioner vide Annexure P-1 dated 04.07.2022 in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

In case, the petitioner is found to be entitled for the benefits as prayed by him, then the same shall be released to him along with interest @ 6% p.a. within a period of three months thereafter.

23.02.2023

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

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