

CWP- 15066-2023 (O&M)

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

CWP- 15066-2023 (O&M)

Date of Decision: 18.07.2023

Sadhu Ram

... Petitioner

V/s.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Deepak K. Bartia, Advocate
for the petitioner.

DEEPAK MANCHANDA, J.(Oral)

Present writ petition has been filed under Article 226 of the Constitution of India by the petitioner seeking issuance of writ in the nature of certiorari for setting aside the letter dated 20.07.2022 (Annexure P-2) whereby respondent No. 2 has wrongly and illegally rejected the petitioner's claim of EPF amount of Rs. 4,13,645/- on the pretext that the claim has already been disbursed vide cheque No. 921392 dated 21.03.2001.

Learned counsel for the petitioner submits that the petitioner joined the service in the office of respondent No. 3 on the post of Seed Production Assistant on 14.04.1978 and retired on 07.02.2001 as Seed

Production Officer. After his retirement, the petitioner received all retiral benefits except the EPF amount though the petitioner could not apply for withdrawal of EPF at the time of retirement but when he was in dire need of money due to his medical expenses, he applied for the said withdrawal vide letter dated 05.04.2022 along-with requisite documents but it was rejected by respondent No. 2 vide letter dated 20.07.2022 by informing that the claim of EPF to the tune of Rs. 4,13,645/- have already been met vide cheque No. 921392 dated 21.03.2001. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the legal notice dated 16.03.2023 (Annexure P-3), 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 Court accepts notice on behalf of respondent No. 1. Ms. Saigeeta Srivastava, Advocate has put in appearance on behalf of respondent No. -2 and raises no objection in deciding the legal notice dated 16.03.2023 (Annexure P-3) 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

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notice dated 16.03.2023 (Annexure P-3), by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order and if there is no impediment, let needful be done within a period of further eight weeks in accordance with law.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

18.07.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No