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

CWP-15756-2023

Date of decision: 25.07.2023

Satvir

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Kuljit Singh, Advocate for
Mr. Peeush Gagneja, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.1 to 3.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India with a prayer for issuance of a writ in the nature of mandamus directing the respondents to release the remaining amount of service-cum-retirement dues such as Gratuity, Leave Encashment, Provident Fund, Medical Allowance and all other remaining service-cum-retirement benefits of the petitioner along with interest.

2. Learned counsel for the petitioner has submitted that for the grievances raised in the present writ petition, the petitioner had given a detailed legal notice dated 15.05.2023 (Annexure P-4) to the respondents including respondent No.3 and has submitted that the petitioner would be satisfied at this stage, in case, respondent No.3 is directed to consider the said legal notice dated 15.05.2023 (Annexure P-4) in a time bound manner

and in case, the pleas raised by the petitioner are found to be meritorious then to release the amount, as expeditiously as possible.

3. On the asking of the Court, Mr. Ferry Sofat, Addl. A.G. Punjab, appears and accepts notice on behalf of respondent Nos.1 to 3 and has submitted that respondent No.3 would consider the said legal notice dated 15.05.2023 (Annexure P-4) in accordance with law as expeditiously as possible.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.3 to consider legal notice dated 15.05.2023 (Annexure P-4) within a period of two months from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to be meritorious then to release the amount due to the petitioner within further period of two months, in accordance with law and in case, respondent No.3 is of the opinion that the pleas raised by the petitioner are not found to be meritorious then a speaking order rejecting the same be passed within a period of three months from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and respondent No.3 would consider the case of the petitioner independently and in accordance with law.

25.07.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No