

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

Date of decision: 27.07.2023

...Petitioner

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 Peon in Municipal Corporation, Amritsar on 22.07.1981 and later on he was promoted as Clerk on 08.12.2011. Learned counsel further contends that at the time of his retirement after attaining the age of superannuation on 31.03.2020, petitioner was posted as Clerk. Learned counsel submits that petitioner was paid his dues amounting to Rs.9,06,899/- towards provident fund. However, later on he came to know that Municipal Corporation has deducted his mandatory monthly contribution towards provident fund from his salary during the period 2013-2014 to 2019-2020 but the deducted amount was not deposited by Municipal Corporation in his provident fund account resulting into deficit payment of Rs.8,30,061/- including interest upto May 2023. Learned counsel for the petitioner further submits that petitioner has submitted a representation dated 15.05.2023 (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 15.05.2023 (Annexure P-1) in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Ajit Singh Natt, AAG Punjab, accepts notice on behalf of respondents No. 1 and 2 and Mr. Sanjeev Soni, Advocate, accepts notice on behalf of the respondent No. 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 15.05.2023 (Annexure P-1) submitted by the petitioner within a period of two months 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.

(DEEPAK MANCHANDA)
JUDGE

27.07.2023

Ajay Goswami

Whether speaking/reasoned
Whether reportable

Yes
Yes/No