

2023:PHHC:100379

106 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHANDIGARH
CWP-16861-2023
Date of decision: 04.08.2023

JAGDEV 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 04.08.1988. He further submits that petitioner was promoted as Head Draftsman on 23.11.2006 and at the time of his retirement after attaining the age of superannuation on 20.06.2020, petitioner was posted as Assistant Town Planner with respondent No. 3. Learned counsel submits that petitioner was paid his dues amounting to Rs.12,43,808/- 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 2019-2020 but the deducted amount was not deposited by Municipal Corporation in his provident fund account resulting into deficit payment of Rs.7,74,797/- including interest upto May 2023. Learned counsel for the petitioner further submits that petitioner has submitted a representation dated 08.05.2023 (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 08.05.2023 (Annexure P-1) in a time bound manner.

Notice of motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab accepts notice on behalf of respondents No. 1 and 2 and Mr. Abhilaksh Gaind, Advocate, who are present in the Court, 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 08.05.2023 (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.

04.08.2023
Ajay Goswami

(DEEPAK MANCHANDA)
JUDGE

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