

116 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17758-2023
Date of decision: 17.08.2023

Mangal SinghPetitioner
V/s
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Gursharan Singh, 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 in the nature of mandamus, directing the respondents to release the outstanding balance of GPF, gratuity, leave encashment and other retiral benefits to the petitioner along with interest @9% per annum.

Learned counsel for the petitioner contends that petitioner joined Municipal Council, Payal District Ludhiana in March 1989 and was working as a Pump Operator and later on he got regularized in January, 2001. He retired on 31.08.2020 on attaining the age of superannuation. He submits that petitioner submitted an application to respondent department for making the payment of retiral benefits on 12.04.2023 but no action was taken. Learned counsel further submits that petitioner has served a legal notice dated 05.07.2023 (Annexure P-5) to the respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

On asking of the Court, Mr.Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 to 3. Mr. Sanjeev Soni, Advocate who is also present in the Court, accepts notice on behalf of respondent No.4 and they do not object to the prayer made by learned counsel for the petitioner.

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 dated 05.07.2023 (Annexure P-5), respondents are directed to decide the legal notice, by passing a speaking order 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 the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to him within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

17.08.2023
Sapna

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