

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

(108)

CWP-17776-2023

Date of decision: - 29.11.2023

Ajit Singh and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Ms. Kriteka Sheokand, Advocate
for the petitioners.

Mr. Ajit Singh Natt, AAG, Punjab.

Mr. Gagandeep Goel, Advocate
for respondents No.2 to 5.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of mandamus for directing the respondents to release the 9% interest per annum of gratuity for the period of service rendered by the petitioners with the State of Punjab before their absorption in the Punjab State Tubewell Corporation.

2. Learned counsel for the petitioners has submitted that earlier the petitioners had approached this Court by filing CWP-14244-2023, but inadvertently a wrong prayer was made in the writ as well as in the legal notice dated 13.05.2023 and the said writ petition was disposed of on 07.07.2023. It is further submitted that now vide legal notice dated 24.07.2023 (Annexure P-4), the said errors have been rectified and the

correct prayer has been made with same. It is stated that the grievances of the petitioners have been correctly detailed in the said legal notice dated 24.07.2023 (Annexure P-4) and has submitted that the petitioners would be satisfied, at this stage, in case the competent authority of respondent No.2 considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioners are found to be meritorious, then, grant the appropriate relief to them.

3. Learned counsel appearing on behalf of respondents No.2 to 5 has submitted that in pursuance of the order dated 07.07.2023 (Annexure P-5), the authorities had already decided the matter, but since the counsel for the petitioners has stated that the prayer made in the same was not correct and the correct prayer has been made in the present writ petition and in the legal notice dated 24.07.2023 (Annexure P-4), they would consider the said legal notice dated 24.07.2023 (Annexure P-4), submitted by the petitioners, in accordance with law and the same would be done within a period of five weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondents No.2 to consider the legal notice dated 24.07.2023 (Annexure P-4) filed by the petitioners within a period of five weeks from the date of receipt of certified copy of this order and in case the competent authority of respondents No.2 is of the view that the pleas raised by the petitioners are meritorious, then, the appropriate relief be granted to the petitioners as expeditiously as possible. In case the

competent authority of respondents No.2 is of the view that the pleas raised by the petitioners are meritless, then, a speaking order rejecting the pleas be passed within the aforesaid period of five weeks.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondents No.2 would consider and decide the matter independently, in accordance with law.

November 29, 2023

naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No