

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

260

CWP-18580-2023

Date of decision: 21.09.2023

JASVIR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Peeush Gagneja, 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 remaining amount of service-cum-retirement dues of the petitioner, including amount of pension, revised pension, leave encashment, gratuity, provident fund and all other benefits which have been withheld by the respondent-department.

Learned counsel for the petitioner contends that the petitioner had retired from the post of Pump Operator from the office of respondent No.4 on 28.02.2023 after attaining the age of superannuation. He submits that when the petitioner retired, he was entitled to receive all the service-cum-retirement dues from the department but only an amount of Rs.2,00,000/- has been released to him and remaining dues have been withheld by the respondent-department without giving any justifiable reasons. Learned counsel further submits that petitioner has served a legal notice dated 11.07.2023 (Annexure P-3) 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, Ms. Rishu Madan, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents No.1 to 3 and submits that the respondent No.4 is the competent authority to take final decision. Mr. Vikas Chatrath, 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 11.07.2023 (Annexure P-3), respondent No. 4 is 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.

September 21, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

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