

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19228-2023
Date of decision: 01.09.2023

Darshan Kumar and anotherPetitioners
V/s

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Nitesh Singla, Advocate
for the petitioners.

DEEPAK MANCHANDA J. (ORAL)

The instant writ 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 pending pensionary benefits along with 9% interest on delayed payments of pensionary benefits.

Learned counsel for the petitioners contends that petitioners are the retired employees of the respondent No.4/Nagar Council, Mansa and are getting pension as per rules. The petitioners retired on 30.04.2022 and 31.01.2022 respectively. The petitioners are entitled to get all the pensionary benefits under the regulations governing their conditions of service but till date the pensionary benefits have not been released to the petitioners. Learned counsel further submits that petitioners have served a legal notice dated 17.05.2023 (Annexure P-2) to respondents, which has not been taken into consideration till date and the petitioners would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

At this stage, 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 and submits that the respondent No.4 is the competent authority to decide the legal notice and does not object to the prayer made by learned counsel for the petitioners.

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 petitioners in the legal notice dated 17.05.2023 (Annexure P-2), 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 petitioners are found to be entitled to the claim mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to them within a period of 8 weeks thereafter.

The petition stands disposed of.

01.09.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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