

112

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

CWP-24584-2022

Date of Decision: 15.02.2023

Kuldeep Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jagraj Singh, Advocate for
Mr. Lupil Gupta, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to release the retiral benefits i.e. payment of GPF, GIS Funds and Leave Encashment etc. and all other retiral benefits along with interest @18% per annum with a further prayer to direct respondent No.2 to consider and take a final decision on the petitioner's representation dated 12.03.2019 (Annexure P-4) by passing a speaking and well reasoned order within some short stipulated period.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner while in service had gone abroad and the leave was also granted by the Tehsildar. Thereafter, he had filed an application for extension of leave since there were large number of leaves to which he was entitled. He further submitted that the petitioner has already reached the age of superannuation and the retiral benefits have not been given to the petitioner till date. He also submitted that he has filed a representation

(Annexure P-4) dated 12.03.2019 to the Deputy Commissioner, Moga for making of the payment of the retiral benefits but no action has been taken in this regard and further submitted that at this stage he will be satisfied in case the aforesaid representation given by the petitioner is considered and decided by respondent No.2 in accordance with law and the time-bound direction may be issued in this regard.

Notice of motion.

Ms. Ambika Bedi, AAG, Punjab, accepts notice on behalf of the respondents/State and has stated that she has no objection in case the aforesaid limited prayer of the petitioner is considered and a direction may be issued to the respondents to consider the representation of the petitioner and decide the same in accordance with law.

I have heard the learned counsel for the parties.

The only limited prayer of the petitioner at this stage is for considering and deciding the representation (Annexure P-4), since he has prayed for grant of his retiral benefits.

In view of the above and without observing anything on the merits of the case, the present writ petition is disposed of with a direction to respondent No.2-Deputy Commissioner, Moga to consider and decide the representation (Annexure P-4) filed by the petitioner within a period of 4 months from today and strictly in accordance with law by passing a well-reasoned speaking order. The order shall also be supplied to the petitioner.

15.02.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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|-------------------------------|--------|
| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |