

112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21259-2023
Date of decision: 29.09.2023

Lal Chand*Petitioner*

V/s

State of Punjab and others ...*Respondents*

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Kuljit Singh, Advocate for
Mr. Peeush Gagneja, Advocate
for the petitioner.

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 amount of service-cum-retirement dues of the petitioner, including gratuity, leave encashment, CPF, revised pay scale and all other benefits along with interest for delayed period.

Learned counsel for the petitioner contends that the petitioner was working as Fitter in the department-respondent No.3 on deputation under the Annual Maintenance Scheme, however, the petitioner was employee of respondent No.5, who retired on 31.01.2023. After the retirement, the petitioner is entitled to receive all the service-cum-retirement dues, but the amount of service-cum-retirement benefits has not been released, and the same are still due to be released by the department-respondent No.5 which amount has been withheld by respondent No.4-department without any reason. Learned counsel

Further contends that petitioner has served a legal notice dated 08.08.2023

(Annexure P-4) to 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.

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 & 2 and Mr. Sanjeev Soni, Advocate who is also present in the Court, accepts notice on behalf of respondents No.3 to 5 and 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 08.08.2023 (Annexure P-4), respondent No.5 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.

29.09.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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