

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

129

CWP-23589-2023

Date of decision: 17.10.2023

TILAK RAJ

.....Petitioner

VERSUS

PUNJAB WATER RESOURCES MANAGEMENT AND DEVELOPMENT
CORPORATION LTD

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Jyoti Sareen, 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 pay revised service benefits and retiral benefits, after re-fixation of pay of the petitioner 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 Chowkidar from the office Punjab Water Resources Management and Development Corporation Ltd. i.e. respondent No.1 on 31.05.2022 after attaining the age of superannuation. He submits that when the petitioner got retired, he was entitled to revised pay service benefits and retiral benefits, after re-fixation of pay of the petitioner which had not been released to him and remaining dues had been withheld by the respondent-corporation without giving any justifiable reasons. Learned counsel further submits that petitioner has served legal notices dated 01.06.2023 & 24.08.2023 (Annexures P-5 & 6

respectively) 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 notices in a time bound manner.

Notice of motion.

On asking of the Court, Aman Sharma, Advocate, who is present in the Court, accepts notice on behalf of the respondents and submits that the respondent No.1 is the competent authority to take final decision and respondent No.1 does 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 24.08.2023 (Annexure P-6), respondent No.1 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.

October 17, 2023
Nisha-II

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No