

CWP-22520-2023

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2023:PHHC:129863

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22520-2023

Date of decision: 06.10.2023

Ranjit Singh and others

.....Petitioners

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Nitish 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 the issuance of a writ in the nature of mandamus directing the respondent department to release the arrears of pensionary benefits i.e., gratuity, leave encashment in view of amendment dated 29.03.2018 (Annexure P-3) made by the Central Government in the Payment of Gratuity Act, 1972 vide which maximum amount of gratuity enhanced to 20 lacs from 10 lacs and further to release the revised pensionary benefits in view of letter dated 29.10.2021 (Annexure P-4) vide which recommendations of 6th Pay Commission were implemented regarding the pensioners by the State of Punjab along with 18% interest on delayed payments of pensionary benefits.

Learned counsel for the petitioners at the outset prays for deciding the legal notice dated 13.06.2023 (Annexure P-5) served by the petitioners upon respondents No.3 to 5, expeditiously by passing a speaking order within 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 4 and Mr. Sanjeev Soni, Advocate, who is also present in the Court, accepts notice on behalf of respondent No.5. They have submitted that the respondent No.5 is the competent authority to decide the aforesaid legal notice.

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 13.06.2023 (Annexure P-5), 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 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.

06.10.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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