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

CWP-30376-2022

Date of Decision: 05.01.2023

Vijay Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Snigdha Sood, 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 order or direction especially in the nature of mandamus for directing the respondents to release the retiral benefits of the petitioner along with interest @ 18% which have been withheld by the respondents without any reason.

Learned counsel for the petitioner has submitted that the petitioner retired on 31.05.2022 from the post of Sweeper in the Municipal Council, Goniana Mandi, District Bathinda and till date, his retiral benefits have not been released. She further submitted that the petitioner is a poor person and he is passing through various difficulties in order to fulfill the needs of his family and there is no justification for denying the retiral benefits to the petitioner. She also submitted that the representations were given to respondent No.2 the Executive Officer, Municipal Council,

Goniana Mandi, District Bathinda vide Annexures P-4 to P-6 but neither any action has been taken in this regard nor the representations have been decided till date.

Notice of motion.

At this stage, Ms. Deepali Puri, Addl. AG, Punjab accepts notice on behalf of both the respondents and has submitted that she has no objection in case a direction is issued to respondent No.2-the Executive Officer, Municipal Council, Goniana Mandi, District Bathinda for considering and deciding the representations (Annexure P-4 to P-6) in accordance with law since the prayer in the present writ petition is only for release of retiral benefits of the petitioner.

I have heard the learned counsel for the parties.

The only prayer in the present writ petition is for seeking direction to the respondents for release of the retiral benefits of the petitioner, who is stated to have retired on 31.05.2022 from the Municipal Council, Goniana Mandi, District Bathinda. Therefore, this Court deems it fit and proper to dispose of the present writ petition even without calling for reply from the respondents/State and without making any observation on the merits of the case and only for the purpose of directing the respondents to decide the aforesaid representations (Annexures P-4 to P-6) in accordance with law.

Consequently, the present writ petition is disposed of with a direction to respondent No.2-the Executive Officer, Municipal Council, Goniana Mandi, District Bathinda to consider and decide the representation (Annexures P-4 to P-6) filed by the petitioner pertaining to release of his

retiral benefits along with interest in accordance with law and as expeditiously as possible and within a period of 3 months from today by passing a speaking order.

05.01.2023 (JASGURPREET SINGH PURI)
Bhumika JUDGE

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