

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26894-2023

Date of decision: 01.12.2023

Ashwani

.....Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Komalpreet Singh, Advocate for
Ms. Ravinder Kaur Manaise, 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 release complete retiral benefits including Gratuity, Provident Fund etc., and also to release the amount of medical reimbursement along with interest @ 12% per annum for delayed payment of all dues and pensionary benefits to the petitioner, who retired as Safai Sewak on 31.07.2022.

Learned counsel for the petitioner contends that the petitioner joined as Safai Sewak in Municipal Council, Gurdaspur in the year 1981 and retired on 31.07.2022. On his retirement, the petitioner was paid the amount of leave encashment and pension but no other retiral benefits were paid to him. Learned counsel further submits that petitioner has served a legal notice dated 16.09.2023 (Annexure P-2) 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 notice in a time bound manner.

Notice of motion.

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 respondent No.3 and they 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 16.09.2023 (Annexure P-2), respondent No.3 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 the petitioner within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

01.12.2023
Sapna

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