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

CWP-28707-2023

Date of decision: 20.12.2023

Balwinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Tribhawan Singla, Advocate for the petitioner.

Mr. Ferry Sofat, Addl. A.G. Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to grant the service benefit of General Provident Fund (Old Pension Scheme) as applicable to all the employees who have joined service w.e.f. 01.01.2004 along with all consequential benefits.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present writ petition, the petitioner had given legal notice dated 25.05.2023 (Annexure P-10) and subsequent to the said legal notice, instructions dated 13.07.2023 (Annexure P-12) have also been issued and the same covers the case of the petitioner. It is further submitted that the petitioner would be satisfied at this stage, in case, the present writ petition is treated as a representation and the competent authority of respondent No.1-State be directed to consider the same in a

time bound manner and in case, the pleas raised by the petitioner are found to be meritorious then grant necessary relief in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would treat the present writ petition as a representation and the competent authority would consider the same in accordance with law, as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to treat the present writ petition as a representation and consider the same in accordance with law within a period of three months from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to be meritorious then the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of three months from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioner independently, in accordance with law.

20.12.2023*Pawan*

Whether speaking/reasoned:-
Whether reportable:-

(VIKAS BAHL)
JUDGE

Yes/No
Yes/No