

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

116

CWP-887-2024

Decided on : January 16, 2024

MADHU BALA

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Puneet Kumar Bansal, Advocate
for the petitioner.

NAMIT KUMAR, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India praying for issuance of writ in the nature of *mandamus* in the form of direction to the respondent-authorities to pay interest as per the provisions of The Punjab General Provident Fund Rules on delayed deposit of amount of Provident Fund from the date of said amount was due to be deposited till the date of retirement; release Gratuity, Leave Encashment, Provident Fund (alongwith interest as aforesaid) and all other benefits; pay interest on the late release of retiral benefits at the rate of 18 % from the date of retirement till the date of its actual payment; pay arrears of revised Dearness Allowance for the period from July, 2015 to December, 2015 alongwith interest at the rate of 18 % from the date of it became due till its actual payment .

Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 21.11.2023 (Annexure P-2). He submits that at this stage, petitioner would be satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.

Notice of motion.

Mr. Arun Gupta, AAG Punjab, who is present in Court accepts notice on behalf of the respondent - State. He submits that respondent No.3 /competent authority will look into the matter and will take a decision on the claim raised by the petitioner in the Legal Notice, in accordance with law.

I have heard learned counsel for the parties and have gone through the record of the case.

Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.3 - Competent Authority is directed to consider and decide the claim made in the Legal Notice dated 21.11.2023 (Annexure P-2) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, his claim be released within a period of six weeks thereafter. In case, the respondents are of the opinion that the claim of the petitioner merits rejection the same be adjudicated upon by passing a speaking order after giving an opportunity of personal hearing to the petitioner within the time as stipulated hereinabove.

The petition stands disposed off.

January 16, 2024

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(NAMIT KUMAR)

JUDGE

Whether speaking/reasoned :

Whether reportable :

Yes/No

Yes/No