

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

118

CWP No.908 of 2024
Decided on : January 16, 2024

GAURAV

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

NAMIT KUMAR, J. (Oral)

The present petition has been filed under Article 226/227 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 consider the case of the petitioner and also release of death benefits of the petitioner's father, who was working as Sweerage man in M.C., Malerkotla and in this regard the petitioner has moved an Representation dated 31.05.2023 (Annexure P-3) and also send the legal notice dated 09.11.2023 (Annexure P-5) to respondent nos.2 and 3.

Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 09.11.2023 (Annexure P-5). 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 Nos.2 and 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 Nos.2 and 3 - Competent Authority is directed to consider and decide the claim made in the Legal Notice dated 09.11.2023 (Annexure P-5) 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

mkkoundal

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*