

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

(125)

CWP-1706-2024**Date of decision: - 25.01.2024****Kuldip Singh and others****....Petitioners****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Lovish Rattan, Advocate,
for the petitioners.

Mr. Ferry Sofat, Additional Advocate General, Punjab.

Mr. Aman Sharma, Advocate
for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing the respondents to release 9% per annum interest of gratuity for the period of service rendered by the petitioners with the State of Punjab before their absorption with the Punjab State Tubewell Corporation in view of the judgments dated 10.05.2018 passed in CWP-17408-2014 titled as 'Paul Singh and others Vs. State of Punjab and others (Annexure P-2) and dated 10.05.2018 passed in CWP-17831-2014 titled as 'Subhash Chander and others Vs. State of Punjab and others'.

2. Learned counsel for the petitioners has submitted that for the grievances raised by the petitioners, the petitioners have given a legal

notice dated 28.12.2023 (Annexure P-4) and at this stage, the petitioners would be satisfied in case competent authority of respondent No.2 considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioners are found to be meritorious, then, grant the appropriate relief to the petitioners.

3. Learned counsel appearing for respondent No.2 has submitted that competent authority of respondent No.2 would consider the said legal notice dated 28.12.2023 (Annexure P-4), filed by the petitioners, in accordance with law and the same would be done within a period of five months from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to competent authority of respondent No.2 to consider the legal notice dated 28.12.2023 (Annexure P-4) filed by the petitioners within a period of five months from the date of receipt of the certified copy of this order and in case competent authority of respondent No.2 is of the view that the pleas raised by the petitioners are meritorious, then, the appropriate relief be granted to the petitioners as expeditiously as possible. In case, competent authority of respondent No.2 is of the view that the pleas raised by the petitioners are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of five months.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.2 would consider and decide the matter independently, in accordance with law.

6. It would be open to respondent No.2 to consult with

respondent No.1 before passing the order and also summoning any record from respondent No.1, if so required.

January 25, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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