

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

CWP-2145 of 2024

Date of decision: 01.02.2024

Ram Prasad (deceased) through his legal heir

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Ms. Suresha Rani, Advocate,
for the petitioner.

Mr. T.P.S. Walia, AAG, Punjab.

NAMIT KUMAR, J.

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to pay/release the pension, GPF, leave encashment, gratuity etc. and all other retiral benefits of the petitioner along with 18% interest, which have been withheld and delayed by the respondents since 20.04.2016 i.e. the death of the employee.

2. Learned counsel for the petitioner at the outset confines her prayer for deciding legal notice dated 10.10.2023 (Annexure P-1). She 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.

3. Notice of motion.

4. Mr. T.P.S. Walia, AAG, Punjab, who is present in Court accepts notice on behalf of the respondents and has no objection to the prayer made by the learned counsel for the petitioner.
5. I have heard learned counsel for the parties and have gone through the record of the case.
6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.4-Competent Authority is directed to consider and decide the claim made by the petitioner in the legal notice dated 10.10.2023 (Annexure P-1) 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, necessary benefits be released within a period of three weeks thereafter.
7. The petition stands disposed of.

01.02.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No