

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

119

CWP-3167-2024

Date of decision: 13.02.2024

Subhash Kumar

...Petitioner

Versus

The State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Neeraj Kalair, Advocate for the petitioner.

Mr. Rajan Dewan, Addl. A.G., Punjab.

NAMIT KUMAR J. (Oral)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.3 to release the retiral benefits of the petitioner.

2. Learned counsel for the petitioner submits that despite the fact that the petitioner retired from service on attaining the age of superannuation on 31.03.2022, however, the gratuity amount, in terms of notification dated 29.10.2021 (Annexure P-3), has not been released to the petitioner till date. He submits that for claiming the said relief the petitioner has also submitted representation dated 26.09.2023 (Annexure P-6) to respondent No.3 and at this stage, the petitioner would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.

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

4. 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 by the petitioner in the representation dated 26.09.2023 (Annexure P-6) in accordance with law, by passing a speaking order within a period of two 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 one month thereafter.

5. The petition stands disposed of.

13.02.2024
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(NAMIT KUMAR)
JUDGE

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