

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-4668-2024
Date of decision: 29.02.2024

Suresh Kumar ...Petitioner

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Peeush Gagneja, Advocate for the petitioner.

NAMIT KUMAR J. (Oral)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India seeking a writ of mandamus for issuance of directions to the respondents to release the remaining amount of service-cum-retirement dues of the petitioner along with interest @ 18% per annum.
2. Learned counsel for the petitioner submits that despite the fact that the petitioner retired from service on attaining the age of superannuation on 30.09.2023, his retiral dues such as gratuity, leave encashment etc. has not been released so far, except an amount of Rs.2,00,000/-, which was released in the month of October, 2023. He submits that for claiming the relief, the petitioner has also submitted legal notice dated 11.12.2023 (Annexure P-3) which is still pending consideration with the respondents and at this stage, the petitioner would be satisfied if directions are issued to respondent No.3 to decide the legal notice dated 11.12.2023 (Annexure P-3) by passing a speaking order in a time bound manner.

3. Notice of motion.
4. Mr. Rajesh Sehgal, Addl. A.G., Punjab., who is present in the Court, accepts notice on behalf of the respondents and has no objection to the innocuous prayer made by 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.3 is directed to consider and decide the claim made by the petitioner in the legal notice dated 11.12.2023 (Annexure P-3), 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 and if there is no legal impediment, the retiral dues of the petitioner be released within a period of one month thereafter.
7. The petition stands disposed of.

29.02.2024
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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No