

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

(246)

CWP-7094-2020

Date of decision: - 18.04.2024

Vijay Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Sumeet Puri, Advocate
for Mr. Raghav Gulati, Advocate,
for the petitioner. (Through VC)

Mr. TPS Chawla, Sr. DAG, Punjab.

Mr. Himmat Singh, Advocate, for respondents No.3 and 4.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ, order or direction in the nature of mandamus directing the respondents to release the retiral benefits of leave encashment along with interest from the date of accrual till its actual realization.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner had given a representation dated 09.12.2019 (Annexure P-6) and at this stage, the petitioner would be satisfied, in case, competent authority of the Punjab Water Resources Management and Development Corporation considers the same, in accordance with law, within a specified time frame and in case, the plea raised by the petitioner is found to be meritorious, then, grant the appropriate relief to the petitioner.

3. Learned counsel appearing for respondents No.3 and 4 has submitted that competent authority of the Punjab Water Resources Management and Development Corporation would consider the said representation dated 09.12.2019 (Annexure P-6), filed by the petitioner, in accordance with law and the same would be done within a period of two 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 the Punjab Water Resources Management and Development Corporation to consider the representation dated 09.12.2019 (Annexure P-6) filed by the petitioner within a period of two months from the date of receipt of the certified copy of this order and in case, competent authority of the Punjab Water Resources Management and Development Corporation is of the view that the plea raised by the petitioner is meritorious, then, the appropriate relief be granted to the petitioner, as expeditiously as possible. In case, competent authority of the Punjab Water Resources Management and Development Corporation is of the view that the plea raised by the petitioner is meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of two months.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of the Punjab Water Resources Management and Development Corporation would consider and decide the matter independently, in accordance with law.

April 18, 2024

naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No