

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP No. 9419 of 2024
Date of Decision : 26.04.2024

Shyam Sunder

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner is that though, he has already retired from service on attaining the age of superannuation on 30.11.2022 but even after expiry of more than one and half years, his gratuity has not been released, which is causing prejudice to him.
2. Learned counsel for the petitioner submits that gratuity has not been released on the ground that certain loan had been advanced by the department, which is yet to be re-paid by the petitioner, whereas, all those loan have been paid by the petitioner keeping in view the deductions, which were made from the salary of the petitioner.
3. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 20.12.2023

(Annexure P-10) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

4. Notice of motion.

5. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 20.12.2023 (Annexure P-10) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order and if permissible gratuity will be released to the petitioner, otherwise, due reasons will be mentioned in the speaking order for not releasing the same.

6. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

April 26th, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No