

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-7564-2024 (O&M)

Date of decision: 04.04.2024

Jagmohan Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Balbir Singh Sewak, Advocate for the petitioner.

AMAN CHAUDHARY, J (Oral)

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to release entire retiral benefits in terms of the revised pay scale.
2. Learned counsel would submit that wife of the petitioner, who was working as Supervisor in the respondent-Department, had died while in service on 11.05.2014, whereupon the family pension was granted vide order dated 26.03.2018 (Annexure P1), however, other retiral benefits have not been released till date, despite the fact that No Dues Certificate dated 30.06.2023 (Annexure P2) has also been issued in her favour. In this regard, a legal notice dated 22.01.2024 (Annexure P3), has been served upon the respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting him an opportunity of hearing.
3. Notice of motion.

4. At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide the legal notice dated 22.01.2024, Annexure P3 by taking into account the pleas of the petitioner raised therein, within a period of 4 months and if found entitled, necessary benefit be granted to him forthwith.

04.04.2024
ashok

(AMAN CHAUDHARY)
JUDGE

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