

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

139

CWP-7601-2024 (O&M)

Date of decision: 04.04.2024

Arun Kumar

..Petitioner

Versus

State of Punjab and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Sushil Saini, Advocate for the petitioner.

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**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 the entire retiral benefits along with interest @ 18% per annum.
2. Learned counsel would contend that the petitioner had retired on attaining the age of superannuation on 31.12.2023 and had also furnished all documents for releasing of pensionary benefits well before the aforesaid date through proper channel and there is no departmental or any other proceeding pending against him as even Vigilance Clearance Certificate dated 21.12.2023 (Annexure P2) and No Dues Certificate dated 28.09.2023 (Annexure P3) have been issued. However, retiral benefits have not been released till date. In this regard, a legal notice dated 12.02.2024 (Annexure P4), 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. Charanpreet Singh, AAG, 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 12.02.2024, Annexure P4 by taking into account the pleas of the petitioner raised therein, within a period of 3 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 |