

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

108

CWP No.8081 of 2024 (O&M)
Date of decision: 09.04.2024

Pitamber Lal

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Ms. Jasvir Kaur, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondent – Department to release the arrears of pensionary benefits i.e. gratuity, leave encashment in view of amendment dated 29.03.2018 (Annexure P-3) made by the Central Government in Payment of Gratuity Act, 1972, vide which maximum amount of gratuity is enhanced from Rs.10.00 lacs to Rs.20.00 lacs and further to release the revised pensionary benefits in view of letter dated 29.10.2021 (Annexure P-4) vide which recommendations of 6th Pay Commission were implemented regarding the pensioners by the State of Punjab along with 18% interest on delayed payments of pensionary benefits.

2. Learned counsel for the petitioner has placed reliance upon the order dated 15.01.2024 passed by this Court in CWP No.6881 of 2023, titled as “*Navneet Parkash vs State of Punjab and others*”. She

2024:PHHC:047776

confines her prayer for deciding representation dated 24.07.2023 (Annexure P-5). She submits that at this stage, petitioner would be satisfied, if the said representation is decided by passing a speaking order within a time bound frame.

3. Notice of motion.
4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 to 4 while Mr. Vikrampreet Arora, Advocate, has appeared on behalf of respondent No.5 and have no objection to the innocuous prayer made by learned counsel for 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.5 is directed to consider and decide the claim made by the petitioner in the representation dated 24.07.2023 (Annexure P-5), in accordance with law, by passing a speaking order, within a period of 03 months, from the date of receipt of certified copy of this order. In case, the petitioner is found held entitled, the necessary benefits be released within a period of 04 weeks thereafter.
7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

09.04.2024
yakub

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