



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

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CWP-7795-2023

Date of decision : 23.07.2024

Sunehri Pal

....Petitioner

V/S

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Kuljit Singh, Advocate for
Mr. Peeush Gagneja, Advocate for the petitioner.

Ms. Saguna Arora, A.A.G. Punjab.

Mr. Aditya Pratap Duggal, Advocate for respondent No.3.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India seeking a writ in the nature of certiorari, for quashing the speaking order dated 02.12.2022 (Annexure P-5) and further seeking a writ of mandamus, directing the respondents to release the amount of service-cum-retirement dues of the petitioner including gratuity, provident fund, leave encashment, revised pay scale, arrears of revised pay scale, salary etc. along with interest.

2. Pursuant to notice of motion, separate written statements have been filed by the respondents. In the written statement filed by respondent No.3, it has been stated as under :-

“xx xx xx xx xx

8. *That it is submitted herein that the answering respondent-Municipal Corporation, Abohar wrote a letter No.37 dated 04.01.2023 to the D.S.P., Abohar in order to*



know the status of the above said FIR. Since the above said FIR has been cancelled by the police, as per information received from the police, therefore, the answering respondent-Municipal Corporation, Abohar has released all the retiral dues of the petitioner including arrears of the increments alongwith interest. The petitioner is also receiving the pension. For the ready reference of this Hon’ble Court, the detail of the amount released to the petitioner is reproduced here as under in tabular form :-

Sr. No.	Particulars	Amount Payable	Amount released	Cheque No. and Date	Payment Due
1.	Gratuity	11,13,600/-	3,00,000/-	191762 10.06.2022	Nil
			71,180/-	866902 11.10.2022	Nil
			7,42,420/-	281114 22.12.2022	Nil
2.	Leave Encashment	4,98,893/-	4,98,893/-	281114 22.12.2022	Nil
3.	P.F.	28,305/-	28,305/-	281114 22.12.2022	Nil
4.	Interest	31,094/-	31,094/-	281114 22.12.2022	Nil
5.	Annual Increments	54,055/-	54,055/-	764959 08.09.2023	Nil
6.	Retirement dues under new scales	2,17,605/-	2,17,605/-	157305 18.01.2024	Nil
	Total Amount	19,43,552/-	19,43,552/-		Nil

Apart from the above said due, the salary for the month of April and May, 2022 amounting to Rs.1,32,664/- had also released to the petitioner vide Cheque No.815704 dated 16.08.2022.

xx xx xx xx xx”

3. Learned counsel for the petitioner submits that in view of the stand taken by respondent No.3, the instant petition has been rendered infructuous and the same may be disposed of accordingly.



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However, liberty may be granted to the petitioner to file representation in case there is any other amount is due.

4. Disposed of as having become infructuous with liberty as aforesaid.

23.07.2024

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No