

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

(116)

CWP-8350-2024

Date of decision: - 16.04.2024

Avtar Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. H.S. Dhindsa, Advocate
for the petitioner.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus for directing the respondent to release/disburse the minimum 8% interest to the petitioner on the delayed payment of his retiral benefits. A further prayer has been made for considering the petitioner for promotion to the post of Workmistri.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present case, the petitioner would give a detailed representation to the competent authority of respondent No.1-State and prays that he would be satisfied in case competent authority of respondent No.1-State considers the said representation, in accordance with law, in a specified time frame and in case, the pleas raised by the petitioner are found to be meritorious, then,

grant the appropriate relief.

3. Learned State counsel has submitted that the competent authority of respondent No.1-State would consider the said representation in accordance with law within a period of two months from the date of submission of the same.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to give a detailed representation to the competent authority of respondent No.1-State within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioner, competent authority of respondent No.1-State would consider the same within a period of two months from the date of submission of the said representation and in case, after considering the said representation, the competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to him as expeditiously as possible. In case, the competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of two months.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

April 16, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No