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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9707-2024(O&M)
Date of decision: 30.04.2024

Karambir Singh

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Ms. Poonam Rani, Advocate, for
Mr. Siddarth, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to release the retiral benefits i.e. Leave Encashment, Death-cum-Retirement Gratuity etc. to the petitioner which is withheld by the respondents without any reason alongwith interest @ 18 % per annum.
2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner had served a legal notice dated 09.03.2024 (Annexure P-2) to respondents No.3 and 4 but the same has not been considered and decided till date. He further submitted that at this stage, he will be satisfied in case the aforesaid legal notice dated 09.03.2024 (Annexure P-2) is considered and

decided by respondents No.3 & 4 in accordance with law and in a time bound manner.

3. Notice of motion.
4. On the asking of the Court, Mr. Ravinder S. Budhwar, learned Additional Advocate General, Haryana accepts notice on behalf of the respondents. He submitted that in view of the limited prayer made by learned counsel for the petitioner, he has no objection in case time bound direction is issued in this regard.
5. In view of the aforesaid facts and circumstances, without calling for the reply from the respondents and without expressing anything on the merits of the case, the present writ petition is disposed of with a direction to the respondents to consider and decide the legal notice dated 09.03.2024 (Annexure P-2) strictly in accordance with law and within a period of three months from today. In case the petitioner is entitled for the grant of benefits as prayed for, then the same shall be paid to him alongwith interest @ 6% per annum (simple) within the aforesaid period of three months and in case he is not found to be entitled, then a well-reasoned speaking order shall be passed within a period of three months from today.

(JASGURPREET SINGH PURI)
JUDGE

30.04.2024
rakesh

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