

106

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9882-2024
Date of decision: 01.05.2024

VINOD KUMAR

...Petitioner

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LTD AND OTHERS
...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Mohnish Sharma, 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 gratuity, leave encashment and all service retiral benefits to the petitioner with interest, which are withheld by the respondents after the retirement of the petitioner.
2. Learned counsel for the petitioner submitted that the petitioner had retired from service in the year 2020 but retiral benefits have not been paid to him. He further submitted that the petitioner had served a representation/reminder dated 01.06.2023 (Annexure P-4) to respondent No.2- Chief Engineer, (Operation), UHBVNL, Panchkula but the same has not been considered and decided till date. He further submitted that at this stage, the petitioner will be satisfied in case the aforesaid representation/reminder dated

01.06.2023 (Annexure P-4) is considered and decided by respondent No.2 in accordance with law and in a time bound manner.

- 3. Notice of motion.
- 4. On the asking of the Court, Mr. Gaurav Jindal, Addl. A.G., Haryana, accepts notice on behalf of all the respondents. He submitted that in view of the limited prayer made by learned counsel for the petitioner, he has no objection in case a time bound direction is issued by this Court 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 respondent No.2-Chief Engineer, (Operation), UHBVNL, Panchkula to consider and decide the representation/reminder dated 01.06.2023 (Annexure P-4) strictly in accordance with law and within a period of one month from today positively. In case the petitioner is found to be entitled for retiral benefits, then the same shall be paid to him within a period of next one month, along with interest @ 6% per annum. In case the petitioner is not found to be entitled for the same, then a well reasoned speaking order shall be passed and conveyed to the petitioner.

01.05.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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