

2024:PHHC:062914



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.10511 of 2024 (O&M)
Date of decision: 07.05.2024

Kanwar Sukhdev Singh
.....Petitioner
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. A.P.S. Rehan, 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 respondents to correctly calculate and grant gratuity, provident fund, leave encashment as per service rules and to make payments of arrears of the same along with interest from due date till actual realization and further directing the respondents to correctly fix the pay of the petitioner and thereafter, grant pension, etc. and all other consequential benefits with interest. Further a writ of certiorari has been sought for quashing the action of the respondents vide which an amount of Rs.71,372/- has been illegally deducted from the gratuity of the petitioner without any prior notice. Another prayer has been made for issuance of a writ of mandamus for directing the respondents to consider and decide the legal notice dated 31.01.20124 (Annexure P-2), given by the petitioner.

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2. Learned counsel for the petitioner, at the very outset, confines his prayer for deciding legal notice dated 31.01.2024 (Annexure P-2). He submits that at this stage, petitioner would be satisfied, if the said legal notice 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 respondent No.1 to 3 whereas Mr. Vikrampreet Arora, Advocate, has accepted notice on behalf of respondent No.4 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 going into the merits of the case at this stage, the present writ petition is disposed of with a direction to respondent No.4, to decide legal notice dated 31.01.2024 (Annexure P-2), submitted by the petitioner expeditiously, by passing a speaking order, preferably within a period of 03 months from receipt of certified copy of this order. Necessary benefits, if any, found due to the petitioner shall be released expeditiously preferably within a period of 04 weeks thereafter.

(NAMIT KUMAR)
JUDGE

07.05.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No