

**CWP-14096-2024****-1-****130 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-14096-2024****Date of decision: 31.05.2024****ASHOK KUMAR****...PETITIONER****VERSUS****CEO, PUNJAB WATER SUPPLY AND
SEWERAGE BOARD AND ORS.****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR**

Present: Mr.S.P.Garg, Advocate for the petitioner.

NAMIT KUMAR, J. (ORAL)

1. The instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking a writ in the nature of mandamus, directing the respondents to release the retiral benefits of the petitioner such as gratuity and leave encashment alongwith interest @ 12% per annum from the date of retirement till payment and further to pay interest @ 12% on the delayed payment of CPF amounting to Rs.23,84,581/- from the date of retirement i.e. 31.05.2023 till date of payment of CPF amount.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 31.05.2023. Despite submitted various representations, only CPF amount of Rs.23,84,581/- was released on 11.12.2023, without any interest and gratuity and leave encashment have not been paid. The petitioner again submitted representation dated 23.01.2024 (Annexure P-4) and also served a legal notice dated 23.03.2024 (Annexure P-5) through his counsel. However, the said payments have still not been released and at this stage, the petitioner would be satisfied if time bound directions are issued to respondent No.1 to consider and decide the legal notice dated 23.03.2024 (Annexure P-5).



3. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.1, to consider and decide the legal notice dated 23.03.2024 (Annexure P-5), seeking release of gratuity and leave encashment alongwith interest and interest on the delayed payment of CPF amount, submitted by the petitioner, by passing a speaking order, expeditiously preferably within a period of 03 months from the date of receipt of certified copy of this order and in case, the petitioner is found entitled to the benefit as claimed in the legal notice, the same shall be released to the petitioner, within a period of one month thereafter.

31.05.2024
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(NAMIT KUMAR)
JUDGE

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