

CWP-37732-2018  
CWP-9733-2020

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

101+103 CWP-4219-2015 (O&M)  
Date of decision: 05.03.2024

Subhash Chander ..Petitioner

Versus

State of Punjab and others ..Respondents

CWP-37732-2018 (O&M)

Nachhatar Singh and others ..Petitioners

Versus

State of Punjab and others ..Respondents

CWP-9733-2020 (O&M)

Ranjit Kaur and others ..Petitioners

Versus

State of Punjab and others ..Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Sanjiv Gupta, Advocate  
for the petitioners in CWP-4219 of 2015 and 9733 of 2020.

Mr. Ramandeep Singh, Advocate  
for the petitioners in CWP-37732-2018.

Mr. Gagneshwar Walia, Addl. AG, Punjab.

Mr. AS Narang and Ms. Manpreet Kaur, Advocates  
for respondent Nos.3 & 4.

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**AMAN CHAUDHARY, J**

**CM-3625-CWP-2024 in CWP-37732-2018**

Notice of the application.

Mr. Gagneshwar Walia, Addl. AG, Punjab, accepts notice and has no

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objection, in case, the application is allowed.

For the reasons stated in the application, the same is allowed and applicants mentioned in the application are impleaded as legal representatives of deceased i.e. petitioner No.6-Kamikar Singh.

Amended memo of parties is taken on record.

### **Main Cases**

1. The aforementioned three writ petitions are being disposed of by way a common judgment, as these involve a similar issue.
2. The prayer in the present Civil Writ Petitions filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing the respondents to release the retiral benefits along with interest @12% per annum.
3. Learned counsel appearing for respondent Nos.3 and 4, on instructions from Mr. Rajiv Bagga, authorized representative, who is present in Court, submits that the issue regarding the provident fund stood settled way back, however, insofar as payment of gratuity is concerned, 30% of it, as per decision taken on 05.12.2023, shall be released to the petitioners within a period of 10 days from today, while the balance 70% in next 3 months. Even the claim of the petitioners for grant of leave encashment is under active consideration with the authorities and a decision thereon shall also be taken in 3 months.
4. This partly satisfies learned counsel for the petitioners, who submit that there is still a claim of interest on the amount that has to be received, for which and any other relief, that may subsist, they seek liberty to file a representation within 2 weeks, to be decided in a time bound manner.

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5. Learned State counsel as also learned counsel for respondent Nos.3 and 4 has no objection to the limited prayer made.
6. In view of the aforesaid and without commenting upon the merits of the cases, these petitions are hereby disposed of with a direction that in case the petitioners submit a representation within a period of 2 weeks, the same shall be considered and decided by the respondents taking into account the pleas raised by the petitioners, within a period of 6 months and if found entitled, necessary benefit be granted forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating them therewith. Needless to say, that in case the undertaking given is not adhered to, the petitioners would be at liberty to get the present petitions revived.
7. Photocopy of this order be placed on the connected cases.

**05.03.2024**  
ashok

**( AMAN CHAUDHARY )**  
**JUDGE**

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