



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

251

CWP-17963-2024
Date of Decision: 20.09.2024

ASHWANI KUMAR SHARMA

... Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Ram Lal Gupta, Advocate
for the petitioner.

Mr. Aditya Sharda, DAG, Punjab.

Mr. Gagneshwar Walia, Advocate
for respondent No.2.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition is for directing the respondents to release the due payment with interest to the petitioner as per the Punjab Advocate Welfare Fund Act, 2002, as he was a member of the said fund and since he ceased to practice as an advocate.

Learned counsel for the petitioner contends that with regard to his grievance, the petitioner has submitted various letters and applications followed by a representation dated 23.02.2024 (Annexure P-6) but no action has been taken thereupon by the respondents till date.

Notice of motion was issued on 01.08.2024.

Mr. Aditya Sharda, DAG, Punjab accepts notice on behalf of respondent No.1 and Mr. Gagneshwar Walia, Advocate accepts notice on behalf



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of respondent No.2. They pray for some time to complete their instructions and file response(s), if necessary.

Learned counsel for the petitioner, however, submits that at this juncture, he would be satisfied if respondent No.2- Trustee Committee under Punjab Advocates Welfare Fund Act, 2002 through its Chairman, Advocate General Punjab, Chandigarh is directed to consider and decide the representation dated 23.02.2024 (Annexure P-6) in a time bound manner.

The learned counsel for respondent No.2 does not oppose the prayer made by the learned counsel for the petitioner.

Accordingly, in view of the above; with the consent of the parties and without commenting anything on the merits of the case, the present petition is disposed of while directing respondent No.2 to consider and decide the representation dated 23.02.2024 (Annexure P-6) by passing a reasoned and speaking order after affording an opportunity of hearing to the respective parties within a period of two months of the receipt of certified copy of this order.

Needless to mention that upon considering the said representation, if any amount is found due and payable to the petitioner, the same shall be disbursed in favour of the petitioner within a further period of two months.

Petition stands disposed of accordingly.

SEPTEMBER 20, 2024
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(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No