

CWP-20753 of 2024

2024:PHHC:110252



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-20753 of 2024

Date of decision: 28.08.2024

Jagsir Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Umesh Kumar Kanwar, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

Ms. Shiny Chopra, Advocate,
for respondents No.2 to 4.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to release the pension along with arrears w.e.f. the date of retirement of the petitioner i.e. 30.09.2023 along with interest @ 12% per annum.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 30.09.2023 and despite making various representations and serving legal notice dated 28.05.2024 (Annexure P-7), retiral dues of the petitioner have not been released so far. He further submits that petitioner would be satisfied, in case time-bound directions are issued

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to the respondents to consider and decide the legal notice dated 28.05.2024 (Annexure P-7) by passing a speaking order.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondent No.1 and Ms. Shiny Chopra, Advocate, accepts notice on behalf of respondents No.2 to 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 expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.4 is directed to consider and decide the claim made by the petitioner in legal notice dated 28.05.2024 (Annexure P-7) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled to, necessary benefits be released within a period of three weeks thereafter.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

28.08.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No