

CWP-20257 of 2024

2024:PHHC:107829



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

CWP-20257 of 2024

Date of decision: 22.08.2024

Balwant Singh and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Nitesh Singla, Advocate,
for the petitioners.

Mr. Surya Kumar, AAG, Punjab.

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 arrears of pensionary benefits i.e. gratuity, leave encashment in view of amendment dated 29.03.2018 (Annexure P-3) made by the Central Government in the Payment of Gratuity Act, 1972 along with interest at the rate of 18% on the delayed payment of pensionary benefits.

2. Learned counsel for the petitioner at the outset confines his prayer for deciding legal notice dated 14.05.2024 (Annexure P-6). He submits that at this stage, petitioner would be satisfied, if the said legal notice is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.



4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents and has 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.2 is directed to consider and decide the claim made by the petitioner in legal notice dated 14.05.2024 (Annexure P-6) 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. Petitioner shall send the legal notice dated 14.05.2024 (Annexure P-6) to respondent No.2 along with copy of this order. In case, the petitioner is found entitled, necessary benefits be released within a period of three weeks thereafter.
7. The petition stands disposed of.

22.08.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No