

CM-4361-CWP-2024 in/and
CWP-27623-2019

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2024:PHHC:040389

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(108)

CM-4361-CWP-2024 in/and
CWP-27623-2019

Date of decision: - 19.03.2024

Kewal Krishan Singla

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Vikas Chatrath, Advocate,
for the applicant-petitioner.

Mr. TPS Walia, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

CM-4361-CWP-2024

1. Present application has been filed under Section 151 CPC for preponing the date of hearing in the present writ petition, which is stated to be pending for 02.09.2024.

2. For the reasons mentioned in the application, the same is allowed and the main case is preponed from 02.09.2024 to today itself.

CWP-27623-2019

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release interest @ 18 p.a. on the delayed

payment of Gratuity, Leave Encashment, G.P. Fund and Commuted Value of Pension interest @ 18% p.a.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 05.08.2019 (Annexure P-9) and at this stage, the petitioner would be satisfied in case competent authority of respondent No.1-State considers the same, in accordance with law, within a specified time frame and in case, the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief to the petitioner.

3. Learned counsel appearing for the respondents has submitted that competent authority of respondent No.1-State would consider the said legal notice dated 05.08.2019 (Annexure P-9), filed by the petitioner, in accordance with law and the same would be done within a period of six weeks from the date of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to competent authority of respondent No.1-State to consider the legal notice dated 05.08.2019 (Annexure P-9) filed by the petitioner within a period of six weeks from the date of receipt of the certified copy of this order and in case, competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner as expeditiously as possible. In case, competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of respondent No.1-State would consider and decide the matter independently, in accordance with law.

March 19, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No