

CWP-28491 of 2024

2024:PHHC:138334



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

CWP-28491 of 2024

Date of decision: 22.10.2024

Kashmir Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Ashish Goklaney, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., 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 pensionary benefits, such as regular pension, gratuity, provident fund, leave encashment etc. and all other benefits as admissible to the post of the petitioner along with interest @ 9% from the date when the same became due till its realization.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 31.05.2024, however, his retiral dues have not been released, except an amount of Rs.1,70,000/- vide cheque dated 29.05.2024. He further submits that petitioner has served a legal notice dated 29.08.2024 (Annexure P-1), however, neither the remaining dues have been released nor the said legal notice has been replied to. He submits that

CWP-28491 of 2024

2024.PHHC:138334



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. Rajesh Sehgal, Addl. A.G., 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.5 is directed to consider and decide the claim made by the petitioner in legal notice dated 29.08.2024 (Annexure P-1) 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, necessary benefits be released within a period of three weeks thereafter.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

22.10.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No