

2024:PHHC:144871



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.30153 of 2024 (O&M)
Date of decision: 07.11.2024

Chander Kala
.....Petitioner
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. P.K. Goklaney, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to release the pensionary benefits such as Gratuity, Provident Fund, Leave Encashment, etc. and remaining benefits as admissible to the post of the petitioner, along with interest @ 9% per annum from the date it became due till its actual realization.
2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 31.03.2023 and except for regular pension and Rs.1.00 lac, nothing else has been paid to the petitioner on account of Gratuity, Provident Fund, Leave Encashment, etc. He further submits that the petitioner would be satisfied in case time bound directions are issued to respondent No.3 to

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consider and decide the said legal notice dated 17.09.2024 (Annexure P-2), by passing a speaking order.

3. Notice of motion.
4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 and 2. On the asking of the Court Mr. Shobit Phutela, Advocate, who is on the panel of Department of Local Government, Punjab, has accepted notice on behalf of respondent No.3 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 going into the merits of the case at this stage, the present petition is disposed of with a direction to respondent No.3 to consider and decide the legal notice dated 17.09.2024 (Annexure P-2), submitted by the petitioner expeditiously, by passing a speaking order, preferably within a period of 03 months from the date of receipt of certified copy of this order. Necessary benefits, if any, found due to the petitioner shall be released expeditiously preferably within a period of 04 weeks thereafter.

(NAMIT KUMAR)
JUDGE

07.11.2024

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No