

CWP-30093 of 2024

2024:PH-C:14858



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

CWP-30093 of 2024

Date of decision: 07.11.2024

Janak Raj (Retd. Sweeper)

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Mohan Singla, Advocate,
for the petitioner.

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 pension and retiral benefits of the petitioner along with interest on the delayed payment at the rate of 18% per annum.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 30.06.2023, however, except for the pension no other pensionary benefit has been released to him. He has served legal notice dated 02.09.2024 (Annexure P-2) upon the respondents for release of his pensionary benefits, however, neither the same has been replied to nor remaining benefits have been released to the petitioner. Learned counsel for the petitioner submits that at this stage, petitioner would be

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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 No.1 to 3-State and Mr. Shobit Phutela, Advocate, accepts notice on behalf of respondent No.4 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.4 is directed to consider and decide the claim made by the petitioner in legal notice dated 02.09.2024 (Annexure P-2) 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 forthwith.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

07.11.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No