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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.30492 of 2024 (O&M)
Date of decision: 12.11.2024

Jasbir Singh
.....Petitioner

Versus

State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. C.S. Jattana, 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 respondents No.3 and 4 to release the retiral benefits of the petitioner i.e. Leave Encashment, Gratuity, Provident Fund, Medical Allowance, etc. along with interest @ 18% per annum on delayed payment. Further prayer has been made to direct respondents No.3 and 4 to decide the application dated 24.07.2024, 27.08.2024 (wrongly mentioned as 23.08.2024) and the legal notice dated 25.09.2024 (Annexures P-1 to P-3).
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 pensionary benefits have not been released despite submitting representations dated 24.07.2024 and 27.08.2024 (Annexures P-1 and P-2) followed by a legal notice dated 25.09.2024

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(Annexure P-3). He further submits that the petitioner would be satisfied in case time bound directions are issued to respondent No.3 to consider and decide the said legal notice dated 25.09.2024 (Annexure P-3), by passing a speaking order.

- 3. Notice of motion.
- 4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 and 2. On the asking of the Court Mr. Vipul Jindal, Advocate, who is on the panel of Department of Local Government, Punjab, has accepted notice on behalf of respondents No.3 and 4 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 25.09.2024 (Annexure P-3), 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 one month thereafter.

(NAMIT KUMAR)
JUDGE

12.11.2024

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No