

CWP-30560 of 2024

2024:PHHC:147683



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

CWP-30560 of 2024

Date of decision: 13.11.2024

Jatinderjit Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Baldev S. Sidhu, 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 retiral benefits viz. gratuity and leave encashment along with interest @ 18% which has not been released to the petitioner from 30.06.2021.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 30.06.2021, however, his gratuity and leave encashment have not been released despite making various representations followed by legal notice dated 23.09.2024 (Annexure P-4). He submits that 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.

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4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of the 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.2 is directed to consider and decide the claim made by the petitioner in legal notice dated 23.09.2024 (Annexure P-4) 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.

13.11.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No