

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

(128)

CWP-189-2024

Date of decision: - 08.01.2024

Balbir Singh**....Petitioner****Versus****State of Punjab and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Malkit Singh Jandiala, Advocate,
for the petitioner.

Mr. Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release the retiral benefits of petitioner i.e. leave encashment and amount due on account of General Insurance Scheme (GIS), which has been withheld along with interest @ 12% per annum from due date till its realization.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 14.09.2022 (Annexure P-7) and at this stage, the petitioner would be satisfied in case competent authority of respondent-State considers the same in accordance with law, within a specified time frame and in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief to the petitioner.

3. Learned counsel appearing for the respondents-State has submitted that competent authority of the respondent-State would consider the said legal notice dated 14.09.2022 (Annexure P-7), filed by the petitioner, in accordance with law and the same would be done within a period of six weeks from the date of receipt of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of, with a direction to competent authority of the respondent-State to consider the legal notice dated 14.09.2022 (Annexure P-7) filed by the petitioner within a period of six weeks from the date of receipt of the certified copy of this order and in case competent authority of the respondent-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to the petitioner as expeditiously as possible. In case, competent authority of the respondent-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of six weeks.

5. It is made clear that this Court has not opined on the merits of the case and competent authority of the respondent-State would consider and decide the matter independently, in accordance with law.

January 08, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No