

CWP-32395 of 2024

2024:PHHC:160090



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

CWP-32395 of 2024

Date of decision: 02.12.2024

Subhash Chand

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Surinder Garg, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed for directing the respondents to grant following benefits to the petitioner: -

- a. Gratuity
- b. Leave encashment.
- c. G.P.F.
- d. D.A. instalments
- e. Arrears of revised pay as well as revised pension.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 31.10.2023 and out of total approximate amount of Rs.16,95,009/- qua gratuity and leave encashment, only a sum of Rs.5,50,000/- has been released to the petitioner. He further submits that even the provident fund amount has not been released to the petitioner and also the dearness allowance which has been revised from time to time. He further submits that for claiming the aforesaid benefits, petitioner

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served a legal notice dated 22.09.2024 (Annexure P-2) and neither the same has been replied to nor the abovesaid payments have been released to the petitioner. 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.

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.4 is directed to consider and decide the claim made by the petitioner in legal notice dated 22.09.2024 (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 within a period of three weeks thereafter.

7. The petition stands disposed of.

(NAMIT KUMAR)
JUDGE

02.12.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No