

CWP-33582 of 2024

2024:PHHC:166733



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

CWP-33582 of 2024

Date of decision: 13.12.2024

Mohammad Shafiq

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Ms. Sonia G. Singh, Advocate,
for the petitioner.

Mr. Surya Kumar, AAG, Punjab,
for respondents No.1 to 3.

Mr. Shobhit Phutela, Advocate,
for respondent No.4.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed for directing the respondents to pay the arrears of pay and pension after revision of pay as per the Punjab Civil Services (Revised Pay) Rules, 2021. Further prayer has been made for directing the respondents to grant all the arrears of pay and pension with 18% interest.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 31.03.2020 and part of the gratuity and leave encashment have not been released to him and as on date approximate amount of Rs.4,22,920/- is due to be paid to the petitioner by respondent No.4. She submits that for claiming the said relief, petitioner has served legal notice dated 18.09.2024 (Annexure P-5) upon the respondents, however, neither the same has been responded to nor the said benefits have been released to

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the petitioner. She 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. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3-State and on the asking of the Court, Mr. Shobhit Phutela, Advocate, who is on the panel of Local Government, Punjab, accepts notice on behalf of respondent No.4 and they 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 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 18.09.2024 (Annexure P-5) 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

13.12.2024
R.S.

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No