



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.34398 of 2024
Date of decision: 18.12.2024

Surjit Singh and others
.....Petitioners
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Nitesh Singla, Advocate
for the petitioners.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioners under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondent – Department to release the arrears of pensionary benefits i.e. gratuity, leave encashment in view of amendment dated 29.03.2018 (Annexure P-3) made by the Central Government in the Payment of Gratuity Act, 1972, vide which maximum amount of gratuity is enhanced from Rs.10.00 lacs to Rs.20.00 lacs and further to release the revised pensionary benefits in view of letter dated 29.10.2021 (Annexure P-4) vide which recommendations of Sixth Pay Commission were implemented regarding the pensioners by the State of Punjab, along with interest @ 18% per annum on the delayed payment of pensionary benefits. Further prayer has been made to direct the respondent – Department to decide

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the legal notice dated 06.08.2024 (Annexure P-5), submitted by the petitioners.

2. Learned counsel for the petitioners submits that for claiming the aforesaid relief, the petitioners have submitted a legal notice dated 06.08.2024 (Annexure P-5) and at this stage, the petitioners would be satisfied, if the said legal notice is decided by passing a speaking order within a time bound frame.

3. Notice of motion.

4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3 and Mr. Shobit Phutela, Advocate, accepts notice on behalf of respondent No.4 and have no objection to the innocuous prayer made by learned counsel for the petitioners.

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.4 to consider and decide the legal notice dated 06.08.2024 (Annexure P-5), submitted by the petitioners expeditiously, by passing a speaking order, preferably within a period of three months from the date of receipt of certified copy of this order.

(NAMIT KUMAR)
JUDGE

18.12.2024

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Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No