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

CWP-25989-2025

Date of Decision:03.09.2025

Charanjit Singh through GPA

...Petitioner

vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Roopak Bansal, Advocate (through VC)
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present writ petition under Articles 226/227 of the Constitution of India with a prayer to issue a writ in the nature of mandamus directing the respondent-authorities to grant the benefits under the NPS Scheme as per his entitlement as he had retired on 17.11.2022. A further prayer was made to decide the legal notice dated 12.08.2025 (Annexure P-4) filed by the petitioner, in a time bound manner.

2. Learned counsel for the petitioner contends that the case of the petitioner was duly covered under the National Pension System (NPS) with PRAN No.110054130652. However, even after a period of three years, the concerned authorities have failed to release his accumulated NPS Corpus as per regulations and no pensionary benefits have been allowed to him. He further submits that the case of the petitioner is covered by the judgments passed in “S.K.Dua Vs. State of Haryana; (2008) 3 SCC 4”, “State of Kerala Vs. M. Padmanabhan Nair (1985) 1 SCC 429” and “D.S. Nakara Vs. Union of

India (1983) 1 SCC 305". He further submits that the petitioner has submitted a Legal Notice dated 12.08.2025 (Annexure P-4) to the respondents, but no decision has been conveyed to him, so far. He further contends that at this stage, he shall be satisfied in case, appropriate directions are issued to respondent No.2 to look into his legal notice dated 12.08.2025 (Annexure P-4) and to take a decision in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Charanpreet Singh, AAG, Punjab, who is present in the Court, accepts notice on behalf of the respondents and he has no serious objection to the limited prayer made by learned counsel for the petitioner, at this stage.

5. I have heard learned counsel for the parties and perused the record carefully.

6. At this stage, Respondent No.2 is directed to decide the legal notice dated 12.08.2025 (Annexure P-4) within a period of four months from the date of receipt of certified copy of this order, by passing a speaking and well reasoned order. While disposing of the legal notice dated 12.08.2025 (Annexure P-4), respondent No.2 shall also take into consideration the relevant rules/instructions as well as the law laid down by the Courts in ***S.K.Dua's case (Supra), State of Kerala's case (Supra) and D.S.Nakara's Case (Supra)***. In case, the petitioner is found entitled to the relief claimed in the legal notice dated 12.08.2025 (Annexure P-4), the same shall also be granted to him, forthwith.

7. The present petition is disposed of, accordingly.

(N.S.SHEKHAWAT)
JUDGE

03.09.2025
hemlata

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No