



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

114

CWP-767-2025 (O&M)
Date of decision: 15.01.2025

Davinder Kumar

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. H.K. Brinda, Advocate for the petitioner

AMAN CHAUDHARY, J. (ORAL)

1. The prayer in the present petition is for directing the respondents to determine and pay the additional amount of gratuity with interest.
2. Learned counsel would contend that the petitioner retired on attaining the age of superannuation on 31.07.2023, however, leave encashment and GPF has been paid, after more than 16 months as also gratuity and pension have not been paid, with regard to which, a legal notice dated 18.09.2024, Annexure P-3, has been served upon respondents, but the same has yet not evoked any response. He thus, at this stage, on instructions from the petitioner prays that a direction is given to the respondents to decide the same in a time bound manner.
3. Notice of motion.
4. At the asking of the Court, Mr. Arun Gupta, DAG Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to

decide the legal notice dated 18.09.2024, within a period of 4 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to him and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

**(AMAN CHAUDHARY)
JUDGE**

15.01.2025

M.Kamra

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