

CWP-23129-2025

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2025:PHHC:103486



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

**CWP-23129-2025 (O&M)
Date of decision: 11.08.2025**

Avtar Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Paras Jain, Advocate
for the petitioner.

HARPREET SINGH BRAR, J. (ORAL)

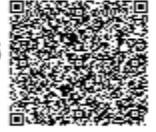
CM-11406-CWP-2025

1. This application has been filed under Rule 3-A(I) of Chapter VI Part B, Vol. V of the High Court Rules and Orders for grant of leave to file the petition.

2. In view of the averments made in the application, same is allowed and leave sought is granted.

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3. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to disburse a sum of Rs.25,99,474/- along with



interest @18% per annum from 30.04.2025 towards dues of gratuity and leave encashment to the petitioner and also to consider and decide the representation dated 08.07.2025 (Annexure P-4) submitted by him in this regard.

4. Learned counsel for the petitioner submits that the petitioner was appointed as Sevadar (Helper) on 09.11.1987 in Municipal Committee, Sunam and was promoted to the post of Inspector in the year 2023. He retired from service on 30.04.2025 after attaining the age of superannuation. However, without any reason, his retiral benefits have not been released till date. Further, out of total dues of Rs.25,99,474/-, on 06.05.2025, the petitioner has received only Rs.5.00 lakhs. As such, the respondents are liable to pay the remaining amount of Rs.20,99,474/- to the petitioner along with interest @ 18% per annum. The petitioner made numerous requests to release his retiral benefits. Having left no other option, the petitioner served a legal notice dated 08.07.2025 (Annexure P-4) upon respondent No.4 to disburse the pending dues of gratuity and leave encashment, but the same is still pending. Learned counsel for the petitioner submits that the petitioner would be satisfied if the legal notice dated 08.07.2025 (Annexure P-4) submitted by him is decided by respondent No.4 by passing a speaking order in a time bound manner.

5. Notice of motion.

6. Mr. Vikram Preet Arora, Advocate accepts notice on behalf of respondent No.4 and he has no objection, in case a direction is issued to respondent No.4 to consider and decide the legal notice dated 08.07.2025



(Annexure P-4) in a time bound manner, by passing a speaking order.

7. In view of the limited prayer made by learned counsel for the petitioner, present petition is disposed of and respondent No.2 is directed to consider and decide the legal notice dated 08.07.2025 (Annexure P-4) and pass a speaking order, after affording him an opportunity of hearing, within a period of three months from the date of receipt of certified copy of this order.

8. Further, the decision taken on the legal notice dated 08.07.2025 (Annexure P-4) shall be conveyed to the petitioner.

9. Needless to say, if the petitioner is found entitled to the relief sought, the same be granted to him forthwith by respondent No.4.

11.08.2025
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No