

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

CWP No.12801 of 2013 (O&M)

Date of decision: 30.07.2015

Harbhajan Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Ranjivan Singh, Advocate for the petitioners.

Mr. Mehardeep Singh, DAG, Punjab.

Mr. Sumit Gupta, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

By way of the instant writ petition, under Articles 226/227 of the Constitution of India, the petitioners seek issuance of directions to the respondents to grant regular pension and other retiral benefits like DCRG, GPF, commutation etc., under the provisions of Punjab Civil Services Rules.

Short reply by way of an affidavit has been filed in the Court is taken on record.

As per the response filed, the Department of Finance has already accorded approval to implement the orders of this Court dated 05.02.2015 subject to outcome of pending review Petition No. 2038 of 2013 in the Hon'ble Supreme Court against SLP No. 17901

of 2011 titled as State of Punjab Vs. Harbans Lal.

The learned counsel for the petitioners informs that the amount of leave encashment has not been released so far. A part of the payment of leave encashment is to be paid by respondent No.2 and the remaining is to be paid by respondent No.3.

The learned counsel for respondent No.2 states that the necessary benefit could not be paid to the petitioner for want of service book and other relevant documents.

The learned State counsel, on instructions from Sh. Vijay Kumar, Sr. Assistant, Department of Irrigation, states that the entire record pertaining to the petitioner will be dispatched to respondent No.2 within two weeks from today.

In view of the above statement, the learned counsel for the petitioners seeks permission to withdraw the present petition.

Dismissed as withdrawn.

However, it is made clear that in case the amount of leave encashment is not released within six weeks from the receipt of certified copy of this order, the petitioners shall have the liberty to revive the present petition. The respondent No.3 is also directed to take necessary action within six weeks from today.

30.07.2015

sumit.k

(JITENDRA CHAUHAN)
JUDGE