

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 22084 of 2015
Date of decision: 15.10.2015

Karam Singh

....Petitioner(s)

Versus

State of Punjab & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Sunny Singla, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Prayer in the present writ petition is for release of the pensionary benefits of the petitioner, along with interest, on account of his superannuation on 30.08.2006 as a Driver with the Punjab Roadways, Pathankot.

It is the case of the petitioner that he had joined service in the year 1976 and had been regularized on 04.11.1978. His services were terminated on 27.03.1989 by the General Manager, Punjab Roadways, Jalandhar-I, which order was challenged by filing a Civil Suit, which was allowed on 24.01.1992. Backwages and all the benefits had been granted to him and during the pendency of the appeal, he was taken back in service on 26.09.1994 and the appeal was dismissed by the Addl.District Judge, Jalandhar on 11.12.1995. The petitioner continued serving the Department and retired on 30.08.2006. Subsequently, RSA No.1718 of 1996, filed by the Department, was disposed of on 19.11.2014, as having been rendered infructuous. The petitioner, thereafter, served legal notice dated 06.02.2015 (Annexure P3) upon the respondents No.2 & 3, representing for his retiral benefits.

Counsel for the petitioner submits that vide the communication dated 20.07.2015, respondent No.3 has written to the General Manager, Punjab Roadways, Nangal-respondent No.4, to complete the service book of the petitioner, so that the case can be sent for the purpose of pension to the office of the Accountant General. He submits that he would be satisfied if a time-bound direction is given to respondent No.3 to take a time-bound decision for the release of the retiral benefits of the petitioner, on his legal notice.

Without commenting upon the merits of the case and without calling upon the respondents, keeping in view the limited relief sought, the present writ petition is disposed of, with a direction to respondent No.3 to take decision on the legal notice dated 06.02.2015 (Annexure P3), within a period of two months, from the receipt of a certified copy of this order. In case the amounts are found due, the same shall be released to the petitioner within a period of one month, thereafter. Needless to say that if the relief is to be denied, reasons are to follow.

15.10.2015
sailesh

(G.S. SANDHAWALIA)
JUDGE