

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

CWP-3756-2013 (O&M)
Date of decision : 10.07.2015

Kanwar Singh

...Petitioner

Versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.K. Verma, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Sachin Gupta, Advocate,
for respondent No.4.

JITENDRA CHAUHAN, J.

By way of the present writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has sought release of the retiral benefits towards pension share to the extent of Rs.49,719/-.

At the very outset, the learned State counsel submits that the amount sought to be released, was not paid to the petitioner on account of the deficient contribution of the petitioner. He refers to the chart of pension contribution of the petitioner, which is taken on record as Mark 'A'.

The learned counsel for the petitioner submits that the deficiency was made good in the year 1993 itself. However, the

learned State counsel submits that there is not record pertaining to this entry in the official record.

Keeping in view the fact that the disputed question of fact is involved in the matter, this Court deems it appropriate to remand the matter to respondent No.2, to look into this factual aspect of the matter and decided the same as per law.

However, considering the fact that the petitioner retired from service on 31.12.2008, respondent No.2 would make an endeavour to decide the reference expeditiously, preferably, within a period of four months from the date of receipt of a certified copy of this order.

The parties, through their counsel, are directed to appear before respondent No.2, on 10.08.2015, at 11.00 AM, for personal hearing.

Disposed of.

10.07.2015
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(JITENDRA CHAUHAN)
JUDGE