

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-28792-2018

Date of decision: - 10.12.2018

Mahender

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present case, the claim of the petitioner is for the release of the retiral benefits except the payment of leave encashment which was already released.

It has been alleged in the petition that the petitioner retired from service on 30.06.2018 and hence, is entitled for release of the pensionary benefits.

Counsel for the petitioner states that there is no inquiry or any criminal case pending against the petitioner, which would entitle the respondent to withhold his pensionary benefits. Hence, the claim has been made for the release of the pensionary benefits along with interest.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served

respondents with a legal notice on 05.09.2018 (Annexure P-3), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 05.09.2018 (Annexure P-4) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

December 10, 2018
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No