YOGESH SHARMA
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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-28970-2018 (O&M)
Date of decision : 16.11.2018

Ram Burn

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Diwan S. Adlakha, Advocate
for the petitioner.

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HARSIMRAN SINGH SETHI, J.

The present writ petition has been filed by the petitioner claiming that even though the petitioner retired from service on 31.10.2017, still even after expiry of more than one year, the retiral benefits such as leave encashment and gratuity have not been released to him so far. Only the provident fund has been released.

It has been contended by the counsel for the petitioner that there is no impediment in the release of the said retiral benefits and the same has been withheld without any justification. For claiming the said relief, he has already issued a legal notice on 14.08.2018 (Annexure P-2) to the respondents, but the same has not been decided so far.

Counsel for the petitioner further states that the petitioner will be satisfied, if a direction is issued to the respondents at this stage, to decide his legal notice by passing a speaking order within the time frame.

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Without expressing any opinion on the merits of the case, keeping in view the request made by the counsel for the petitioner, the present writ petition is disposed of by directing the Competent Authority to decide the legal notice dated 14.08.2018 (Annexure P-2) within a period of three months from the date of receipt of the certified copy of this order.

In case, the Competent Authority comes to the conclusion that the petitioner is entitled for the relief claimed in the legal notice, then the said consequential benefits be also released to the petitioner within a further period of three months.

(HARSIMRAN SINGH SETHI)
JUDGE

16.11.2018
Yogesh Sharma

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**