

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

(135)

CWP-32278-2018

Date of Decision: December 17, 2018

Kuldeep Singh Mand

..Petitioner

Versus

UCO Bank and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Padamkant Dwivedi, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner has approached this Court for the release of the retiral benefits.

As per the averments made in the writ petition, the petitioner retired from service on 31.01.2018 and there was an FIR bearing No.259 dated 05.10.2012, under Sections 420/467/468/120-B IPC registered against the petitioner, due to which all the benefits have not been released to the petitioner.

Learned counsel for the petitioner states that in view of the law laid down by the full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468**, due to the pendency of the criminal proceedings, all the benefits cannot be stopped and the petitioner is entitled for the release of the retiral benefits.

Learned counsel for the petitioner states that for the relief which has been claimed in the writ petition, the petitioner has served the respondents with a representation dated 27.03.2018 (Annexure P-1). He further states that the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the representation dated 27.03.2018 (Annexure P-1) by passing a speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the representation dated 27.03.2018 (Annexure P-1), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 27.03.2018 (Annexure P-1) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled to any monetary benefits after the decision of the representation, the same should also be paid to the petitioner within three months thereafter.

December 17, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No