

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

(139)

CWP-38038-2018

Date of Decision: December 21, 2018

Tara Chand

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Garg, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner has approached this Court for issuing appropriate directions to respondent No.4 for the release of the pensionary benefits alongwith interest, which are being withheld by the respondents without any valid justification despite the fact that the petitioner superannuated on 31.05.2018.

Learned counsel for the petitioner states that there is no impediment in the release of the pensionary benefits as there is no departmental or vigilance inquiry pending against the petitioner, which would entitle the respondents to withhold the amount.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 20.06.2018, 29.08.2018 and 05.10.2018 (Annexure P-1 Colly). He further states that the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 20.06.2018, 29.08.2018 and 05.10.2018 (Annexure P-1 Colly) 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 legal notice dated 20.06.2018, 29.08.2018 and 05.10.2018 (Annexure P-1 Colly), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 20.06.2018, 29.08.2018 and 05.10.2018 (Annexure P-1 Colly) 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 legal notice, the same should also be paid to the petitioner within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

December 21, 2018
harsha

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