

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

**CWP No. 1075 of 2019
Date of Decision : 16.01.2019**

Ajaib Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.C. Arora, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

Learned counsel for the petitioner states that even though the petitioner retired on 30.04.2018, still no pensionary benefit has been released in favour of the petitioner. Learned counsel for the petitioner fairly admits that no claim has been made in writing with respect to the claim, which has been made in the present writ petition. It is a settled principle of law that for issuance of mandamus, there has to be a claim made and in the absence of any such claim, the mandamus cannot be issued.

Faced with this situation, learned counsel for the petitioner states that he be allowed to withdraw the present writ petition with liberty to approach the respondents for the claim, which has been made in the present writ petition.

The present writ petition is dismissed as withdrawn with liberty to approach the respondents at this stage.

January 16, 2019
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**(HARSIMRAN SINGH SETHI)
JUDGE**

Whether speaking/reasoned? Yes/No
Whether reportable? Yes/No