

CWP-1183-2019

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

CWP-1183-2019

Date of Decision: 17.01.2019

Ramesh Kumar

... Petitioner

vs.

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Saguna Arora, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J

In the present writ petition, the grievance of the petitioner is that despite the fact that he retired on 31.01.2014, the regular pension and the gratuity has not been released to him so far.

Learned counsel for the petitioner has argued that after the retirement of the petitioner, a Resolution was passed by respondent No.4 on 29.04.2014 (Annexure P3), wherein, it was mentioned that as a writ petition being CWP No. 1030 of 2009, filed by the petitioner is pending before this Court, till the decision of the same, there cannot be any calculation in respect of the full pension and gratuity for which the petitioner is entitled for.

Counsel further states that the said Resolution was passed without any application of mind as the said writ petition already stood decided on 07.07.2010 and the copy of the same has been attached with this petition as Annexure P5. She further contends that despite serving a legal notice upon the respondents and bringing out all the above-mentioned facts, no payment has been made to the petitioner in respect of the pension and gratuity for the last about five years.

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Learned counsel for the petitioner further states the petitioner will be satisfied, at this stage, in case, a time bound direction is issued to respondents to decide the legal notice dated 31.08.2018 (Annexure P13) by passing an appropriate speaking order.

In view of the above, the present writ petition is disposed of with a direction to respondents to pass an appropriate order on the legal notice dated 31.08.2018 (Annexure P-13) within a period of three months from the receipt of a 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 him within three months thereafter.

17.01.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No