

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

CWP-2193-2019

Date of decision: - 25.01.2019

Balbir Singh Jafal

....Petitioner

Versus

**The Punjab State Federation of Cooperative Sugar Mills Ltd. and
others**

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sanjay Tangri, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance raised by the petitioner is that at present, there is no proceeding which are pending against him, which would entitle the respondents to withhold his pensionary benefits. All the proceedings, which were pending, have already been come to end and in none of the proceedings, the petitioner have been held guilty. Therefore, there is no justification with the respondents now to withhold the gratuity and leave encashment.

Counsel for the petitioner states that as the petitioner stands already exonerated, he is entitled for full salary for the period for which he remained under suspension.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner

has made the representations dated 29.09.2016 and 17.07.2018 (Annexure P-7 {Colly.}), which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representations.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondents are directed to decide the representations dated 29.09.2016 and 17.07.2018 (Annexure P-7 {Colly.}) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 25, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No