

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 2285 of 2019

Date of Decision : 28.01.2019

Anokh Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

Harsimran Singh Sethi, J.(Oral)

The present petition has been filed by the petitioner seeking the release of his retiral benefits such as gratuity and leave encashment.

As per the averments made in the writ petition, the petitioner joined as a Constable in Police Department, State of Punjab on 02.04.1985 and he retired in July, 2017 as Head Constable. The petitioner has stated in the writ petition that a sum of ₹2,35,000/- was released to him in May, 2018 but his gratuity and leave encashment have not been released by the respondents so far without any valid justification. Further, even the pension has not been released to the petitioner after October, 2018. Petitioner has alleged that there is no justification with the respondents to withhold the said benefit.

For the relief, which has been claimed in the present writ

petition, the petitioner has made a representation dated 19.12.2018 (Annexure P-3) to the respondents and as per the averments made in the writ petition, the said representation is still pending consideration with the respondents.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the representation, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the representation dated 19.12.2018 (Annexure P-3) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to him within a period of next three months.

The writ petition stands disposed of.

January 28, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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