

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

(132)

CWP-3087-2019

Date of Decision: February 04, 2019

Jagmohan Singh

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pawan Kumar Goklaney, Advocate, with
Mr. Ashish Goklaney, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner is seeking the release of 100% provisional pension instead of 90%, which is being granted to the petitioner.

Learned counsel for the petitioner states that as per the settled principle of law, the petitioner is entitled for 100% provisional pension even though certain proceedings are pending against the petitioner even after retirement.

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 17.11.2018 (Annexure P-5) which is still pending consideration with the respondents. Counsel 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 17.11.2018 (Annexure P-5) by passing an appropriate 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 17.11.2018 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated legal notice dated 17.11.2018 (Annexure P-5) 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 him within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

February 04, 2019
harsha

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