

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

(108)

CWP-4863-2019

Date of Decision: February 25, 2019

Gurcharan Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Riti Aggarwal, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the prayer made by the petitioner is that though he retired from service on 30.09.2018 from Municipal Council-respondent No.4 but still his pensionary benefits have not been released in full.

Learned counsel for the petitioner states that there is no valid justification with the respondents to withhold the same as there is no impediment in the release of the pensionary benefits of the petitioner and there is no enquiry or any other proceedings pending against the petitioner, which would entitle the respondents to withhold the pensionary benefits.

Learned counsel for the petitioner further 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 11.12.2018 (Annexure P-1) and the same is 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 legal notice dated 11.12.2018 (Annexure P-1) 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 11.12.2018 (Annexure P-1), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 11.12.2018 (Annexure P-1) 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 for any monetary benefits after the decision of the legal notice, the same should also be paid to him within three months thereafter.

February 25, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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