

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

CWP-7481-2019

Date of decision: - 18.03.2019

Nitya Nand

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Shreenath A. Khemka, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that he superannuated on 31.10.2018, after which he was entitled for the release of the pensionary benefits, but only pension has been released to the petitioner and no other benefit such as gratuity, leave encashment and commutation etc. has been released to him so far. Further, there is no impediment in the release of the pensionary benefits as there are no proceedings pending against the petitioner and therefore, withholding of the benefits by the respondents is arbitrary.

Counsel for the petitioner further states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice on 01.01.2019 (Annexure P-1),

which 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 said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, the respondents are directed to decide the legal notice dated 01.01.2019 (Annexure P-1) 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

March 18, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No