

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

(118)

CWP-7263-2019

Date of Decision: March 18, 2019

Sohan Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. K.R. Dhawan, 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 though the petitioner retired on 31.08.2018 while working as Inspector from the Nagar Panchayat, Badhni Kalan, Tehsil Nehal Singh Wala, District Moga, all the retiral benefits of the petitioner have not been released so far.

Learned counsel for the petitioner states that the amount of gratuity and leave encashment, which is more than Rs.13 lacs, is still lying with the respondents and the same is not being released without any valid justification. He further states that there are no proceedings pending against the petitioner which would entitle the respondents to withhold the said benefits.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has served upon the respondents with a legal notice dated 19.02.2019 (Annexure P-3) 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 19.02.2019 (Annexure P-3) 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 19.02.2019 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 19.02.2019 (Annexure P-3) 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.

March 18, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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