

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 9353 of 2019 (O&M)
Date of Decision : 14.05.2019

Arvind Kumar Bharti

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Pankaj Mehta, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

CM-7479-CWP-2019

Present application has been filed to place on record Annexures P-9 to P-11.

Application is allowed and Annexures P-9 to P-11 are taken on record.

CWP-9353-2019

In the present writ petition, the grievance which is being raised by the petitioner is that his retiral benefits are not being released by the respondents without any valid justification.

Learned counsel for the petitioner argues that though the petitioner retired on 30.11.2014 but on the said date, there were two charge-sheets pending which were issued on 07.11.2014 and 20.11.2014. One another charge-sheet was issued on 09.01.2015 i.e. after his retirement.

Learned counsel for the petitioner states that all these charge-sheets were

dropped by the respondents on 03.10.2018 and as the charge-sheets have been dropped, now there is no valid justification with the respondents to withhold the pensionary benefits for which the petitioner is entitled after his superannuation on 30.11.2014.

Learned counsel further states that for the relief, which has been claimed in the present writ petition, the petitioner has made representation dated 24.12.2018 (Annexure P-7) to the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the representation by passing a speaking order.

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 24.12.2018 (Annexure P-7) 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.

May 14, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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