

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 8924 of 2019

Date of Decision : 03.04.2019

Niranjan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Jasminder Singh Thind, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

Learned counsel for the petitioner states that the petitioner retired from service on 28.02.2014. On the said date, there was a criminal case pending against him registered under the Prevention of Corruption Act. As his retiral benefits were not being released, petitioner filed a writ petition bearing CWP No. 16358 of 2015, which was disposed of by this Court on 10.08.2015 with a direction to the respondents to decide the representation, which the petitioner had filed for release of his pensionary benefits.

As the respondents failed to comply with the said direction, petitioner approached this Court by filing COCP No. 538 of 2016 and during the pendency of the said proceedings, the respondents passed an order dated 16.12.2016, by which benefits of the petitioner were released except gratuity as the criminal case was still pending against the petitioner.

Learned counsel states that the petitioner has been acquitted of the criminal

case and further as the benefits, which were released by the respondents vide order dated 16.12.2016, were released after undue and unexplained delay, petitioner is entitled for the interest on the same.

Learned counsel for the petitioner states that the petitioner submitted a representation dated 15.11.2018 (Annexure P-6) with the respondents for claiming the relief as claimed in the present writ petition and the petitioner will be satisfied in case a time bound direction is issued 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 15.11.2018 (Annexure P-6) within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

April 03, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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