

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

(136)

CWP-10796-2019

Date of Decision: April 25, 2019

Krishan Chand

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that the retiral benefits for which the petitioner is entitled for after his superannuation on 30.11.2018, are not being released by the respondents without any valid justification.

From the pleadings, it transpires that the petitioner was initially appointed in the Department of Water Supply and Sewerage Board on 05.03.1989, wherein he continued working till 02.08.2005 and thereafter, the petitioner was transferred to Municipal Council, Ferozepur. Petitioner continued working in the Municipal Council, Ferozepur and on 01.09.2014, he was again sent on deputation with the Punjab Water Supply and Sewerage Board and ultimately the petitioner retired from service from Municipal Council, Ferozepur on 30.11.2018.

The grievance of the petitioner is that the petitioner had served Water Supply and Sewerage Board as well as Municipal Council, Ferozepur, but still the pensionary benefits of the petitioner have not been paid to him by the Municipal Council, Ferozepur on the ground that the

proportionate contribution from the Punjab Water Supply and Sewerage Board for the period when the petitioner worked with them, have not been received so far.

From the averments made in the writ petition, it transpires 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 05.03.2019 (Annexure P-11) and as per the averments made in the writ petition, the said legal notice is still pending consideration with the respondents.

Interest of justice will be served, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice 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 05.03.2019 (Annexure P-11), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 05.03.2019 (Annexure P-11) 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.

April 25, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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