

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11401-2019

Date of decision: - 02.05.2019

Jagjit Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Amarjit Singh Bedi, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance of the petitioner is that though he retired from service on 30.11.2017, but all his retiral benefits have not been released due to the pendency of an FIR No.126 dated 17.06.2003.

Counsel for the petitioner states that petitioner was acquitted in the said FIR by the Competent Court of Law, vide order dated 14.03.2018. After the said date, petitioner sought information under RTI as to whether any appeal has been preferred against the said order and the petitioner was informed that no appeal has been preferred against order dated 14.03.2018 by which the petitioner was acquitted in FIR No.126 dated 17.06.2003.

Counsel for the petitioner argues that impediment in the release of the pensionary benefits of the petitioner no longer exists and therefore, respondents are liable to be directed to release the pensionary

benefits of the petitioner, which are not being released without any valid justification.

Counsel for the petitioner further states that pensionary benefits have already been computed and even the no objection certificate has already been received by the competent authority for the release of the pension, but still the benefits are being withheld by the respondents.

Counsel for the petitioner 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 18.02.2019 (Annexure P-10), which is still pending consideration with the respondents and 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, the respondents are directed to decide the legal notice dated 18.02.2019 (Annexure P-10) 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

May 02, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No