

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

**CWP No. 11704 of 2019
Date of Decision : 06.05.2019**

Suresh Kumar

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Peeush Gagneja, 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 he retired as a Sewer Man from Municipal Council Jalalabad, District Fazilka on 31.08.2018 on attaining the age of superannuation still the pensionary benefits for which he is entitled for, have not been released so far, which is against the settled principle of law.

Learned counsel for the petitioner states that there is no impediment in the release of the pensionary benefits as there are no proceedings either departmental or criminal pending against the petitioner so as to entitle the respondents to withhold the pensionary benefits.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 29.03.2019 (Annexure P-2) 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 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 relief claimed in the present writ petition or in the legal notice, 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 legal notice dated 29.03.2019 (Annexure P-2) 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 06, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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