

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

(111)

CWP-12876-2019

Date of Decision: May 16, 2019

Balwinder Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harbans Lal Sharma, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, though the petitioner is claiming interest on the payment of gratuity and commutation of pension which were paid to him after two months of his retirement but the at time of arguments, petitioner restricts his claim for the payment of leave encashment, GIS and GPF, which are yet to be released to the petitioner.

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

Learned counsel for the petitioner states that for the relief as claimed in the present writ petition, the petitioner has served the respondents with a representation dated 20.03.2019 (Annexure P-7) which is pending consideration with the respondents. It will be appropriate, at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order within a period of three months from the receipt of copy of this 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 representation dated 20.03.2019 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 20.03.2019 (Annexure P-7) 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 the release of the leave encashment, GIS and GPF, the same shall be released to the petitioner within one month thereafter.

However, it is made clear that this Court expresses no opinion on the merits of the case or the entitlement of the claim as being raised by the petitioner in the present writ petition.

(HARSIMRAN SINGH SETHI)
JUDGE

May 16, 2019
harsha

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