

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 13112 of 2019
Date of Decision : 17.05.2019

Ashok Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Puneet Kumar Bansal, 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 attained the age of superannuation on 31.01.2017 and thereafter, availed extension in service twice and finally he retired on 31.01.2019 but his pensionary benefits have not been released by respondent No. 3 without any valid justification.

Learned counsel for the petitioner argues 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 prays that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 26.04.2019 (Annexure P-1) 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 26.04.2019 (Annexure P-1) 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 17, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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