

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

CWP-14212-2019

Date of decision: - 27.05.2019

Suresh Kumar

....Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashok K. Sharma, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance of the petitioner is that though he has retired on 30.11.2017, but his pensionary benefits were stopped on the ground that there was a charge-sheet, which was issued to the petitioner during his service career, which is still pending consideration with the respondents.

Counsel for the petitioner argues that the charge-sheet, which was issued in the year 1992, was kept pending by the respondents without any valid justification and after his retirement, vide order/letter dated 19.02.2018 (Annexure P-1), the respondents have stopped his one annual increment. After the imposition of the said punishment, there was no legal impediment in the release of the pensionary benefits and, now, a more than one year has elapsed after imposition of the punishment, vide order

dated 19.02.2018 (Annexure P-1), but his pensionary benefits are being still withheld by the respondents in an illegal and arbitrary manner.

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 dated 31.12.2018 (Annexure P-2), which is still pending consideration with the respondents and the 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 31.12.2018 (Annexure P-2) 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.

May 27, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No