

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

(117)

CWP-18602-2019

Date of Decision: October 03, 2019

Kuldeep Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Satnam Singh, Advocate, for
Mr. Sartaj Singh Thakur, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that after the retirement on 31.03.2013, petitioner was convicted in FIR No.69 dated 27.05.2005 under Sections 409, 465, 468 471/120-B IPC and Section 13 (2) of the Prevention of Corruption Act, 1988 and against the conviction, the appeal of the petitioner is pending.

Learned counsel for the petitioner further states that as the conviction of the petitioner was after retirement, therefore action only under Rule 2.2 of the Punjab Civil Services Rules could be taken against the petitioner under which, maximum 1/3rd of the pension can be stopped whereas the petitioner is not being paid any pension by the respondents and therefore, the respondents are liable to be directed to grant the petitioner the benefit of pension, which is not being released to the petitioner without any valid justification.

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 05.05.2019 (Annexure P-4) 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 by passing an appropriate speaking 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 legal notice dated 05.05.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 05.05.2019 (Annexure P-4), within a period of three months from the receipt of certified copy of this order.

October 03, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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