

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23213-2016

Date of decision: - 02.12.2019

Khazan Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Pawan Kumar Goklaney, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance which is being raised in the present writ petition is that as per the settled principle of law, the employee is entitled 100% provisional pension even if any proceedings are pending against him, but the petitioner is not being paid 100% provisional pension, which is contrary to the settled principle of law as settled by the Full Bench of this Court in LPA No.113 of 2012 titled as '**Punjab State Civil Supplies Corporation Limited and others** Vs. **Pyare Lal**', decided on **11.08.2014**

Learned counsel for the respondents very fairly states that the respondents be given another opportunity to reconsider the case of the

petitioner for the grant of 100% provisional pension keeping in view the order passed by this Court in **Pyare Lal's (supra)**, according to which an employee, against whom the proceedings are pending, is entitled 100% provisional pension.

Keeping in view the statement made by learned counsel for the respondents for reconsidering the case of the petitioner as per **Pyare Lal's case (supra)**, the present writ petition is disposed of with the direction to the respondents to pass an appropriate speaking order in respect of the claim of the petitioner for grant of 100% provisional pension, within a period of three months from receipt of certified copy of this order.

It is made clear that while passing the speaking order, the respondents shall keep in mind the order passed in **Pyare Lal's case (supra)**.

Present writ petition is disposed off in above terms.

(**HARSIMRAN SINGH SETHI**)
JUDGE

December 02, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No