

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

(127)

CWP-20421-2019

Date of Decision: July 25, 2019

Pardeep Kumar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Hari Chand, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that petitioner had submitted the request for voluntary retirement on 23.07.2018 (Annexure P-1) by giving three months notice. Counsel for the petitioner argues that under the Punjab Civil Services (Premature Retirement) Rules, 1975 in case the request of an employee is not declined within time frame, there is a deemed acceptance of the same and therefore, request for voluntary retirement of the petitioner stood automatically accepted by the respondents on 30.11.2018 and thereafter, petitioner is entitled for the grant of pensionary benefits w.e.f. 01.12.2018 onwards.

Learned counsel for the petitioner states that no benefit has been extended to him by the respondents and therefore, he prays that appropriate direction be issued to the respondents for the release of the pensionary benefits in respect of the service which the petitioner had rendered with the respondents upto 30.11.2018.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted a representation on 28.05.2019 (Annexure P-7) to 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 same 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 representation dated 28.05.2019 (Annexure P-7), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 28.05.2019 (Annexure P-7) within a period of three months from the receipt of copy of this order.

July 25, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No