

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

CWP-21630 of 2019

Date of decision: - 19.08.2019

Mahinder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. V.K. Sandhir, 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 had retired on 31.01.2016 but his pensionary benefits have not been released so far.

Learned counsel for the petitioner argues that a bare perusal of the order dated 11.09.2018 (Annexure P-1) would show that petitioner was issued a charge-sheet on 27.01.2016 i.e. about four days before the petitioner was to superannuate but the said charge-sheet was dropped by the respondents on 11.9.2018 vide Annexure P-1. Learned counsel argues that once the charge-sheet has been withdrawn and there is no other proceeding pending against the petitioner, withholding of the pensionary benefits by the respondents is totally unjustified. He prays that respondents needs to be

issued a direction for the release of the pensionary benefits of the petitioner forthwith.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served respondents with a legal notice on 22.03.2019 (Annexure P-3), 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 and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 22.03.2019 (Annexure P-3) 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.

Writ petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 19, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No