

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.21114 of 2019(O&M)**  
**DATE OF DECISION:21.11.2019**

Gyan Parkash

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Vivek Suri, Advocate  
for the petitioner.

**HARSIMRAN SINGH SETHI, J. (ORAL)**

**CM No.17465 of 2019**

The present application has been filed for placing on record the downloaded data as Annexure A-1.

Application is allowed.

Annexure A-1 is taken on record.

**CWP No.21114 of 2019**

Counsel for the petitioner argues that respondent No.4 is financially controlled by the State of Punjab as more than 70% of the finances are of the State Government either by way of share or by way of loan and as respondent No.4 is financially controlled by the State, it is to be treated as instrumentality of the State and the writ petition will be maintainable against respondent No.4.

The grievance which is being raised in the present writ

petition is that though the petitioner had already retired on attaining the age of superannuation on 31.10.2018 but his pensionary benefits including the salary for the month of October is yet to be released by respondent No.4.

Counsel argues that there is no impediment in the release of those benefits but without any valid justification, the same are not being released.

Counsel prays that a direction be issued to respondent No.4 to release the salary of the petitioner for the month of October, 2018 and also the benefits of leave encashment and gratuity along with interest.

Counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted with the respondents a representation dated 06.07.2019 (Annexure P-6), 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 representation dated 06.07.2019 (Annexure P-6) 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 06.07.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 06.07.2019 (Annexure P-6) within a period of three months from the receipt of

certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the representation, the same should also be paid to him within three months thereafter.

**November 21, 2019**  
**jt**

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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