

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23628-2019

Date of decision: - 30.08.2019

Shyam Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Mittardeep Singh, Advocate,
for Mr. Manik Makkar, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance of the petitioner in the present writ petition is that though he retired from service on attaining the age of superannuation on 31.07.2017, but except the amount of ₹6,75,000/-, no amount, for which he is entitled on account of pensionary benefits have been released so far without any valid justification.

Counsel for the petitioner vehemently states that there is no impediment in the release of the pensionary benefits as there are no proceedings either departmental or before any Competent Court of Law pending against petitioner so as to entitle the respondents to withhold the same, therefore, withholding of the benefits by the respondents is totally arbitrary and illegal. Counsel prays that a direction be issued to the respondent to release all the pensionary benefits forthwith.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 09.05.2019 (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.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 09.05.2019 (Annexure P-4) 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 three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

August 30, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No