

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

(113)

CWP-22135-2019

Date of Decision: August 22, 2019

Prem Kumar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manik Makkar, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that though the petitioner has already retired from service on attaining the age of superannuation on 30.06.2018 but all the pensionary benefits for which the petitioner is entitled, have not been released. Counsel for the petitioner further states that there is no impediment in the release of the pensionary benefits of the petitioner as there are no proceedings pending against the petitioner either departmental or before any competent Court of law, which would entitle the respondents to withhold the pensionary benefits of the petitioner.

Learned counsel for the petitioner states that only a sum of Rs.5 lacs has been paid to the petitioner and that too without giving any detail/bifurcation whereas total amount for which petitioner is entitled for as the pensionary benefits is more than Rs.14.5 lacs.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the 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 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 legal notice dated 09.05.2019 (Annexure P-4), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 09.05.2019 (Annexure P-4) 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 legal notice, the same should also be paid to him within three months thereafter.

August 22, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned:	Yes
Whether reportable:	No