

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22345 of 2019

DATE OF DECISION:22.08.2019

Baljit Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. J.P.S. Sidhu, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

As per the avements made in the present writ petition, the petitioner retired from service on attaining the age of superannuation on 30.11.2016.

Counsel for the petitioner argues that after the retirement, the petitioner was served a chargesheet dated 03.11.2016 and due to the pendency of the said chargesheet, the benefits of the petitioner were withheld. The said chargesheet dated 03.11.2016 has been consigned to record by the respondents on 27.02.2019 as none of the charges alleged in the said chargesheet were proved against the petitioner and, thereafter, the pensionary benefits of the petitioner, which were withheld due to pendency of the said chargesheet were released.

Counsel for the petitioner argues that once the charges have not been proved against the petitioner, petitioner will be entitled for the grant of interest for the delayed release of the

pensionary benefits and prays that appropriate direction be issued to the respondents to pay the petitioner interest on the delayed release of the pensionary benefits.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 13.03.2019 (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 respondent No.3 to decide the legal notice dated 13.03.2019 (Annexure P-4) 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 13.03.2019 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 13.03.2019 (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 them within three months thereafter.

August 22, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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