

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22327 of 2019

DATE OF DECISION:22.08.2019

Bhim Raj Goyal and others

... Petitioners

Versus

Punjab State Water Resources Management and Development Corporation Ltd.

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.S. Walia, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the counsel for the petitioners is that petitioner No.1 retired on 31.12.2018, petitioner No.2 retired on 28.02.2019 and petitioner No.3 retired on 31.01.2018 respectively but till date they have not been paid their retiral benefits by the respondent without any valid justification.

Counsel for the petitioners argues that though the post from which the petitioners have retired is non pensionable but the petitioners are entitled for payment of gratuity, provident fund and leave encashment whereas only provident fund has been paid and benefits of leave encashment and gratuity have not been extended to the petitioners without any valid justification.

Counsel for the petitioners states that there are no proceedings pending against the petitioners either departmental or

before any competent court of law which would entitle the respondent to withhold the pensionary benefits of the petitioners.

Learned counsel for the petitioners states that for the relief which has been claimed in the present writ petition, petitioners have served the respondent with a representation dated 20.04.2019 (Annexure P-6), which is still pending consideration with the respondent and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondent to decide the representation dated 20.04.2019 (Annexure P-6) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the representation dated 20.04.2019 (Annexure P-6), the present writ petition is disposed of with a direction to the respondent to decide the representation dated 20.04.2019 (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 petitioners are entitled for any monetary benefits after the decision of the representation, 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