

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-23283-2019

Date of decision: - 29.08.2019

Dilbagh Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. R.K. Arya, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that petitioner got voluntary retirement w.e.f. 25.02.2015 and on the said date, there were no charge-sheet or any proceeding in any Competent Court of Law pending against him.

Counsel for the petitioner further states that an FIR No.20 under Sections 420/471 of IPC was registered against the petitioner on 19.04.2016 i.e. after more than one year of the retirement of the petitioner and the challan was presented much after the date of the his retirement and therefore, it cannot be said that on the date when the petitioner retired, there were any proceedings pending against the petitioner, which would entitle the respondents to withhold the pensionary benefits. Counsel prays that direction be issued to respondents to release the withheld pensionary benefits.

Counsel for the petitioner states that petitioner has submitted two representations dated 11.04.2019 and 11.05.2019 (Annexures P-2 and P-3) respectively, which are still pending consideration with the respondents and the petitioner will be satisfied, in case a time bound direction is issued to respondent No.2 to decide the above-said representations by passing an appropriate speaking order.

Without going into the merits of the case and without commenting upon the entitlement of the petitioner, the present writ petition is disposed of with a direction to respondent No.2 to decide the representations dated 11.04.2019 and 11.05.2019 (Annexures P-2 and P-3) respectively, by passing a speaking order in accordance with law within a period of three months from the date of receipt of certified copy of this order.

The petition stands disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

August 29, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No