

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

(128)

CWP-24468-2019

Date of Decision: September 05, 2019

Rajinder Kumar

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Sonia G. Singh, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that the petitioner retired from service on attaining the age of superannuation on 31.03.2018 but all the pensionary benefits for which the petitioner is entitled for, have not been released.

As per the averments made in the writ petition, out of a sum of Rs.18,75,000/- approximately for which the petitioner is entitled, only a sum of Rs.11,50,000/- has been paid and the remaining amount is still to be paid to the petitioner and without any justifiable reason, the same has been withheld even though there are no proceedings pending against the petitioner, which would entitle the respondents to withhold the same.

The prayer of the petitioner in the present writ petition is for issuance of a direction to the respondents to grant the petitioner full pension as well as the retiral benefits along with interest.

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 20.06.2019 (Annexure P-2) 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 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 20.06.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 20.06.2019 (Annexure P-2), 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.

September 05, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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