

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-25024 of 2019

Date of decision: 09.09.2019

Om Parkash

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rishabh Gupta, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

The grievance which is being raised in the present writ petition is that the petitioner retired on 30.11.2018, but till today, despite the fact that more than ten months have been elapsed, the pensionary benefits of the petitioner have not been released without any valid justification. Counsel for the petitioner argues that there is no impediment in the release of the pensionary benefits of the petitioner as there are no proceedings pending against him, which would entitle the respondents to withhold the pensionary benefits of the petitioner. Counsel further argues that a direction needs to be issued to the respondents to release the pensionary benefits of the petitioner immediately.

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 legal notice dated 06.07.2019 (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

respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 06.07.2019 (Annexure P-2) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

09.09.2019

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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |