

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

CWP-25207-2019

Date of decision: - 10.09.2019

Charan Dass

....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. O.P. Gabba, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

As per the averments made in present writ petition, petitioner retired on attaining the age of superannuation on 30.04.2019 while working as a Safai Sewak in the office of Municipal Council, Ferozepur City.

Counsel for the petitioner argues that petitioner had 40 years of continuous service and after the retirement, all the pensionary benefits for which he was entitled for, have not been released to him as only a sum of ₹1,00,000/- has been given to him without any details, whereas he is entitled for more amount on account of retiral benefits.

Counsel for the petitioner further argues that even the pension has not been released to the petitioner, which is totally arbitrary as there are no proceedings pending against him either departmental or

before any Competent Court of Law, which would entitle the respondent to withhold the pensionary benefits. Counsel for the petitioner prays that a direction needs to be issued to respondent No.3-Municipal Council, Ferozepur to release the pensionary benefits of the petitioner forthwith.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 23.07.2019 (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 respondent No.3 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, respondent No.3 is directed to decide the legal notice dated 23.07.2019 (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 three months thereafter.

Present writ petition stands disposed of.

September 10, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No