

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

CWP-26018-2019

Date of decision: - 16.09.2019

Ram Diya

....Petitioner

Versus

**Haryana State Federation of Consumers' Cooperative Wholesale
Limited**

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Dhiraj Chawla, 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 he retired on attaining the age of superannuation on 31.10.2015 and on the said date, due to the pendency of the disciplinary proceedings in respect of a charge-sheet dated 16.12.2008, the pensionary benefits of the petitioner were withheld.

Counsel for the petitioner argues that after the retirement, the said charge-sheet was dropped on 17.11.2016 and the petitioner was exonerated from all the allegations as the same were found to be incorrect and the benefits of the petitioner was released by the respondents in March, 2017.

Counsel for the petitioner further argues that due to the serving of above-said wrong charge-sheet, the pensionary benefits of the

petitioner had been delayed by the respondents for approximately two years, hence, petitioner needs to be compensated for the delay in release of the pensionary benefits by the respondents on account of false allegations.

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 10.07.2019 (Annexure P-13), 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.

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 10.07.2019 (Annexure P-13) 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.

(HARSIMRAN SINGH SETHI)
JUDGE

September 16, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No