

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

(109)

CWP-28843-2019

Date of Decision: October 04, 2019

Pawan Kumar

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gagandeep Jammu, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the claim of the petitioner is that the petitioner after rendering more than 30 years of service, retired on attaining the age of superannuation on 28.02.2019 but after the retirement, no benefits for which petitioner is entitled, in respect of the service rendered by him, has been extended though there are no proceedings pending against the petitioner either departmental or before any competent Court of law, which would entitle the respondents to withhold the pensionary benefits of the petitioner.

Learned counsel for the petitioner prays that a direction be issued to respondent No.2- Municipal Corporation, Amritsar for releasing the pensionary benefits of the petitioner forthwith.

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 16.08.2019 (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.2 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 16.08.2019 (Annexure P-2), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 16.08.2019 (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.

October 04, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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