

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

**CWP No. 29994 of 2019  
Date of decision : 17.10.2019**

**Ashok Kumar**

**....Petitioner**

**Versus**

**State of Punjab and others**

**.....Respondents**

***CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present:- Ms. Vanita Sapra Kataria, Advocate for the petitioner.

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**Harsimran Singh Sethi, J. (Oral)**

Learned counsel for the petitioner argues that though the petitioner had rendered service with the Municipal Council Patti, District Tarn Taran starting from February, 1985 till he attained the age of superannuation on 31.01.2018 but his pensionary benefits for the said service have not been released to him without any valid justification. Learned counsel for the petitioner further argues that there are no proceedings pending against the petitioner before the department or any Competent Court of Law, which would entitle the respondents to withhold the pensionary benefits. Learned counsel for the petitioner argues that even the pension is not being released to the petitioner despite the fact that more than one and a half year has elapsed since the petitioner has retired. The prayer of the petitioner is for issuance of a direction to respondent No. 4 for

releasing the pensionary benefits to the petitioner forthwith.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served respondents with a legal notice on 12.03.2019 (Annexure P-15), 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 respondent No. 4 to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondent No. 4 is directed to decide the legal notice dated 12.03.2019 (Annexure P-15) 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.

Writ petition stands disposed of accordingly.

**October 17, 2019**  
*kanchan*

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

*Whether reasoned/speaking?*    *Yes*  
*Whether reportable?*                *No*