

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

CWP-31316-2019

Date of decision: - 30.10.2019

Kiran Bala Sharma

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Shailendra Sharma, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner contends that petitioner attained the age of superannuation and retired on 30.04.2015 and despite the fact that more than 4½ years has elapsed, no pensionary benefits, except the leave encashment has been released in her favour.

Counsel for the petitioner further contends that action of respondents in not releasing the pensionary benefits of the petitioner is totally arbitrary and illegal as there are no proceedings, which were pending against the petitioner either before the department or before any other competent Court of Law, which would entitle the respondents to withhold the pensionary benefits. The prayer of the petitioner is for issuance of a direction to the respondents to immediately release all the pensionary benefits of the petitioner alongwith interest.

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 25.03.2018 (Annexure P-6), 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 25.03.2018 dated (Annexure P-6) 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 her within a period of three months thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

October 30, 2019
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No