

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 31589 of 2019
Date of decision : 01.11.2019

Tejpal

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Mohit Aneja, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance of the petitioner is that though he has already retired on attaining the age of superannuation on 31.03.2019 but his retiral benefits are not being released without any valid justification.

Learned counsel for the petitioner argues that Municipal Committee, Samalkha, where the petitioner had initially worked, is not sending the information regarding the contribution which was deposited during the period when the petitioner was serving with Municipal Committee, Samalkha, due to which, pension of the petitioner has not been computed and despite the fact that more than 7 months have elapsed since petitioner retired but, the petitioner is yet to receive his pensionary benefits.

The prayer of the petitioner is to direct the respondents to release the pensionary benefits of the petitioner.

Learned counsel for the petitioner further argues that the direction be issued to the Municipal Committee, Samalkha to immediately furnish the details of the contribution, which were deducted during the period when the petitioner was serving with the said authorities to the office of the Registrar Cooperative Societies, Haryana so that the pension of the petitioner could be computed and released to him.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 05.07.2019 (Annexure P-3), 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 respondents No. 4 and 9 to decide the said legal notice in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondents No. 4 and 9 are directed to decide the legal notice dated 05.07.2019 (Annexure P-3) 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.

November 01, 2019
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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