

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

CWP No. 31606 of 2019

Date of decision : 01.11.2019

Mahender Singh

....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. R.K. Malik, Senior Advocate with
Mr. Digvijay Singh, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned senior counsel appearing on behalf of the petitioner states that petitioner retired on attaining the age of superannuation on 30.04.2015 and at the time when petitioner retired, there were no proceedings pending against him either before the department or before any Competent Court of Law, which would entitle the respondents to withhold the pensionary benefits but still even after expiry of four and a half years after retirement, the benefit for which the petitioner was entitled in respect of the service rendered by him with the respondents, have not been released. The prayer of the petitioner is to direct the respondents to release the pensionary benefits of the petitioner forthwith alongwith interest.

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 04.09.2019 (Annexure P-1), 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 and the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 04.09.2019 (Annexure P-1) 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
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(HARSIMRAN SINGH SETHI)
JUDGE

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