IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 33382 of 2019
Date of decision : 18.11.2019

Nahar Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajesh Arora, Advocate for the petitioner.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though the petitioner has retired on attaining the age of superannuation on 31.12. 2018 but all the benefits for which he was entitled including commutation of pension, gratuity and leave encashment, have not been released to him without any valid justification.

Learned counsel for the petitioner argues that there is no impediment in the release of these benefits as there are no disciplinary proceedings pending against the petitioner, which would entitle the respondents to withhold the pensionary benefits. The prayer of the petitioner is for issuance of a direction to the Municipal Corporation, Faridabad for releasing the pensionary benefits of the petitioner forthwith alongwith interest.

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Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has submitted a representation dated 11.09.2019 (Annexure P-5) to the respondents, 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. 3 to decide the said representation.

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. 3 is directed to decide the representation dated 11.09.2019 (Annexure P-5) 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 18, 2019 **(HARSIMRAN SINGH SETHI)**
kanchan **JUDGE**

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

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