

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

CWP-33914-2019

Date of decision: - 21.11.2019

Baldev Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Karamjit Verma, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner submits that petitioner has already retired from service on attaining the age of superannuation on 30.04.2019, but all the benefits for which he is entitled for such as General Provident Fund as well as Leave Encashment, have not been released by the respondents so far and that too without any valid justification.

Learned counsel for the petitioner states that there is no impediment in the release of the pensionary benefits as there are no proceedings, which are pending against the petitioner either before the department or before any 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 release the benefits of General Provident Fund as well as the Leave Encashment forthwith.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, petitioner has served upon the respondents a legal notice dated 13.08.2019 (Annexure P-1). Counsel for the petitioner further states that while replying to the said legal notice, respondent No.3 has written to him that the benefits, which are to be released by the BBMB, have already been released to the petitioner and the other benefits including GPF are to be paid by the Department of Irrigation.

Learned counsel for the petitioner prays that a direction be issued to respondent No.1 to decide the legal notice 13.08.2019 (Annexure P-1) in a time bound in respect of the claim of the petitioner for the release of retiral benefits including General Provident Fund.

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 respondent No.1 is directed to decide the legal notice dated 13.08.2019 (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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

November 21, 2019
naresh.k

Whether reasoned/speaking?
Whether reportable?

Yes
No