

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

(119)

CWP No. 34667 of 2019

Date of Decision : 28.11.2019

Kashmiri Lal

....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashok Kumar Khunger, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that petitioner has already retired from the service of the respondent-Municipal Council on attaining the age of superannuation on 30.06.2019 but the benefits for which he is entitled after his retirement, have not been released to him without any valid justification. Learned counsel for the petitioner argues that there are no proceedings 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 release the pensionary benefits of the petitioner forthwith.

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 16.09.2019 (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 16.09.2019 (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 28, 2019
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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