

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

**CWP No.36169 of 2019 (O&M)
Date of decision : December 13, 2019**

Swami Nath

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None.

HARSIMRAN SINGH SETHI J. (ORAL)

As per the facts mentioned in the present petition, the petitioner has retired from service on attaining the age of superannuation 31.12.2018 but the pensionary benefits for which he is entitled have not been released to him by the Improvement Trust, Batala without any valid justification.

It has been contended by the petitioner that the petitioner has rendered 31 years of service and there is no impediment in the release of the pensionary benefits of the petitioner as there are no proceedings pending against him either departmental or before any competent Court of law so as to entitle the respondents to withhold his pensionary benefits. Prayer of the petitioner is for issuance of a direction to the respondents to direct the Improvement Trust, Batala for releasing his pensionary benefits forthwith.

A perusal of the writ petition shows that for the release of the pensionary benefits, which have been claimed in the present writ petition, the petitioner has submitted a representation dated 22.10.2019 (Annexure P-1) with the respondents, which is still pending consideration with the respondents and the interest of the justice will be served if a time bound

direction be issued to respondent No.3 to decide the said representation by passing a speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.3 is directed to decide the representation dated 22.10.2019 (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

December 13, 2019

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No