

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(127)

CWP No. 203-2020

Date of Decision : 15.01.2020

Balwinder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the petitioner is claiming release of his pensionary benefits.

As per the averments made in the writ petition, petitioner retired from service on 31.10.2017 and at the said time, there was an FIR No. 7 dated 17.03.2016 pending against him due to which, his pensionary benefits were withheld. Petitioner has stated in the writ petition that he was acquitted of the said charges by the Competent Court of Law on 17.08.2018 and after that there is no impediment in the release of his pensionary benefits but still, despite expiry of approximately one and half years, his pensionary benefits are not being released by the respondents and that too without any valid justification. The prayer of the petitioner is for issuance of a direction to the respondents to release his pensionary benefits forthwith.

From the pleadings, it transpires that for the relief, which has been sought in the present writ petition, petitioner has served the respondents with a legal notice dated 13.09.2019 (Annexure P-2), which is still pending consideration with the respondents.

Interest of justice will be served, at this stage, in case a time bound direction is issued to respondent No. 2 to decide the said legal notice by passing an appropriate speaking order.

Without expressing any opinion on the merits of the case and entitlement of the petitioner in respect of the claim made in the writ petition/legal notice, respondent No. 2 is directed to decide the legal notice dated 13.09.2019 (Annexure P-2) 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.

January 15, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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