

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-531 of 2020

Date of decision: 10.01.2020

Jarnail Singh

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Suneet Pal Singh Aulakh, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Learned counsel for the petitioner argues that keeping in view the contents of the charge sheets which are pending against the petitioner, due to which, the regular pension, leave encashment and gratuity of the petitioner have been withheld, do not relate to any misappropriation of the funds and nothing is recoverable from the petitioner even if the petitioner is held guilty of the charges and hence the withholding of the pensionary benefits by the respondents is beyond their jurisdiction. Prayer of the petitioner is for issuance of a direction to the respondents to release his pensionary benefits forthwith.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has served the respondents with legal notice dated 06.06.2019 (Annexure P/4), 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.1 to decide the said legal notice.

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 legal notice dated 06.06.2019 (Annexure P/4) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

10.01.2020
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |