

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP No. 759 of 2020

Date of Decision : 14.01.2020

Dharam Pal

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sunny Singla, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that though petitioner retired from the service of the respondent-Municipal Council, Budhlada on attaining the age of superannuation on 31.08.2019 but all his pensionary benefits have not been released by the respondent-Municipal Council, Budhlada and that too without any valid justification. Learned counsel further argues that there is no impediment in the release of the pensionary benefits of the petitioner as there are no proceedings either Departmental or before any Competent Court of Law pending against the petitioner, 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 his pensionary benefits forthwith alongwith interest.

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 25.11.2019 (Annexure P-2), 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 respondent No. 4 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, respondent No. 4 is directed to decide the legal notice dated 25.11.2019 (Annexure P-2) 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.

January 14, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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