

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP No. 1217 of 2020

Date of Decision : 17.01.2020

Naresh Kumar Saini

....Petitioner

Versus

Central Bank of India and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jasbir Mor, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner states that keeping in view the conviction of the petitioner in a criminal case, he was discharged from service with superannuatory benefits vide order dated 05.02.2001 (Annexure P-6) but no pensionary benefit has been extended to him so far despite he being entitled for the same. Learned counsel for the petitioner further states that as the petitioner was availing his remedy against the conviction before the Competent Court of Law and those proceedings came to an end on 29.10.2018, hence, he did not approach the Competent Court of Law seeking release of the pensionary benefits keeping in view the order dated 05.02.2001 (Annexure P-6).

The prayer of the petitioner is for issuance of a direction to the respondent-Bank to release his pensionary benefits in respect of the service, which he had rendered prior to his discharge from service vide order dated

05.02.2001 (Annexure P-6).

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 06.05.2019 (Annexure P-10), 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. 2 to decide the said legal notice by passing an appropriate speaking order in a time bound manner.

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. 2 is directed to decide the legal notice dated 06.05.2019 (Annexure P-10) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

January 17, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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