

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

**CWP No.2296 of 2020 (O&M)
Date of decision : January 29, 2020**

Surjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. B.S. Mittal, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present writ petition, the petitioner is claiming the release of pensionary benefits as the same are yet to be released though the petitioner retired from service as a Clerk on 31.07.2019 on attaining the age of superannuation.

Learned counsel for the petitioner argues that only a sum of ₹4,00,000/- has been released to the petitioner after his retirement and the remaining benefits have been withheld by the respondents and that too without any valid justification as there are no proceedings either before the department or any competent Court of law, which would give the jurisdiction to the respondents to withhold the pensionary benefits of the petitioner. Prayer of the petitioner is for the issuance of a direction to respondent-Municipal Council, Rampura Phul to release all the pensionary benefits to the petitioner forthwith.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has submitted two representations dated 02.09.2019 and 09.10.2019 (Annexures P-1 and P-2

respectively) with the respondents, which are still pending consideration with the respondents and the petitioner will be satisfied, at this stage, if a time bound direction is issued to respondent No.3 to decide the same by passing an appropriate speaking order in accordance with law.

In view of the request made, without expressing any opinion on the merits of the case or on the claim being made by the petitioner, respondent No.3 is directed to decide the representations dated 02.09.2019 and 09.10.2019 (Annexures P-1 and P-2 respectively), 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

January 29, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No