

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP No. 3681 of 2020

Date of Decision : 11.02.2020

Ramesh Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajeev Dev Sharma, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The claim of the petitioner in the present writ petition is that without there being any valid justification, all the benefits for which the petitioner is entitled after his retirement on 31.05.2019, have not been released.

Learned counsel for the petitioner argues that there is no impediment in release of the pensionary benefits to the petitioner as no proceedings either departmental or before any Competent Court of Law, are pending against the petitioner, which would entitle the respondents to withhold the pensionary benefits. Learned counsel argues that only a sum of ₹5 lacs has been paid to the petitioner till now and that too without disclosing the head under which the said payment has been made. Learned counsel for the petitioner argues that approximately ₹10 lacs are still to be

paid to the petitioner. The prayer of the petitioner is for issuance of a direction to the respondents to release his pensionary benefits forthwith without any further delay.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has submitted a representation dated 04.11.2019 (Annexure P-2) with the respondents, which is still pending consideration 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 representation by passing an appropriate speaking order.

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 representation dated 04.11.2019 (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.

February 11, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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