

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

**CWP No.4416 of 2020 (O&M)
Date of decision : February 18, 2020**

Om Parkash

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Ms. Navreet Dhaliwal, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that though the petitioner retired from service on 31.10.2019 after availing two years extension beyond the period of superannuation but the pensionary benefits of the petitioner are not being released to him by respondent No.4 without there being any valid justification.

Learned counsel for the petitioner further states that even the salary of the petitioner from July, 2019 onwards till he retired from service on 31.10.2019, has also not been released to him.

Learned counsel for the petitioner argues that there is no impediment in the release of pensionary benefits or the salary of the petitioner as there are no departmental proceedings or any criminal proceedings pending against him, which would entitle the respondents to withhold the pensionary benefits or salary of the petitioner. Prayer of the petitioner is for issuance of a direction to respondent No.4 to immediately release all the pensionary benefits as well as the salary from July 2019 onwards till he retired from service i.e. 31.10.2019 along with interest on the delay in release.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has submitted a representation dated 24.01.2020 (Annexure P-4) to respondent No.4, which is still pending consideration with respondent No.4 and the petitioner will be satisfied, at this stage, if a time bound direction is issued to respondent No.4 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.4 is directed to decide the representation dated 24.01.2020 (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. 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

February 18, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No