

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

**CWP No.7605 of 2020 (O&M)
Date of decision : June 02, 2020**

Gurmit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Ashok Giri, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab
(keeping in view the advance copy given)

HARSIMRAN SINGH SETHI J. (ORAL)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

Learned counsel for the petitioner submits that the petitioner retired from service on 31.01.2020 but the retiral benefits for which the petitioner is entitled, have not been released to him and that too without there being any valid justification.

Learned counsel for the petitioner argues that only the benefit of the leave encashment has been extended to the petitioner but not the other retiral benefits such as provident fund, gratuity and the pension has been paid to him though there is no impediment in the release of the same. The prayer of the petitioner is for issuance of a direction to the respondents to release all the retiral benefits to him forthwith along with interest.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has already served upon the respondents a legal notice dated 12.03.2020 (Annexure P-6), which is 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 legal notice dated 12.03.2020 (Annexure P-6), by passing a speaking order within a period of two 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 two months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)

JUDGE

June 02, 2020

sarita

Whether speaking / reasoned Yes

Whether Reportable: No