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

CWP No.16530 of 2020

Date of Decision: 08.10.2020

**AVTAR SINGH
Vs**

.....Petitioner

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. M.K. Dogra, Advocate
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Learned counsel for the petitioner submitted that the petitioner retired on 30.06.2016 after attaining age of superannuation. He was implicated in a criminal case bearing FIR No.20 dated 19.03.2016 under Sections 307 & 34 IPC and Section 25 of the Arms Act, P.S. Dera Baba Nanak, District Gurdaspur. Despite the acquittal of the petitioner in the said criminal case on 17.04.2017, retiral benefits have not been released to him so far.

Petitioner has already moved a representation to respondent No.2 in the aforesaid context, but the same has also

not been adverted to by respondent No.2.

Notice of motion.

On asking of the Court, Mr. Nikhil Chopra, Addl. A.G., Punjab accepts notice on behalf of the respondents.

In view of nature of order which this Courts proposes to pass, there is no necessity of calling any response from the State as no order prejudicial to the interests of anyone is being passed.

At this stage, without meaning anything on the merits of the case, this writ petition is disposed of with a direction to respondent No.2 to look into the grievance of the petitioner arising out of the representation dated 12.02.2020 (Annexure P-2). In case the petitioner is found to be entitled for retiral dues i.e. pension, gratuity, GPF, CPF etc., then the same be paid to him along with interest @ 6.5% p.a. from the date of accrual till the date of payment. If the claim of the petitioner is found to be baseless, then a speaking order be passed in accordance with law.

Let the needful be done within a period of two months from the date of receipt of certified copy of this order.

(RAJ MOHAN SINGH)
JUDGE

October 08, 2020

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No