

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

CWP No.19830 of 2020

Date of Decision : 23.11.2020

Salwinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ajay Pal Singh Rehan, Advocate for the petitioner.

Ms. Anju Sharma Kaushik, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

In the present writ petition, the grievance which is being raised by the petitioner is that he has already retired from service on 30.09.2016 but, despite the expiry of four years from retirement, his pensionary benefits have not been released by the respondents without there being any valid justification. Learned counsel for the petitioner argues that though, a charge sheet was issued against the petitioner on 25.05.2018 but, the same cannot be taken as an impediment for withholding the pensionary benefits of the petitioner as the same was issued after the retirement of the petitioner.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has already

served the respondents with legal notice dated 18.09.2020 (Annexure P/3), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab accepts notice on behalf of respondent-State and raises no objection in deciding the legal notice dated 18.09.2020 (Annexure P/3) served by the petitioner with the respondents in a time bound manner.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide legal notice dated 18.09.2020 (Annexure P/3), by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

November 23, 2020
aarti/naresh k.

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No