

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CWP No. 720 of 2021

Date of Decision : 13.01.2021

Hari Ram

....Petitioner

Versus

State of Punjab and others

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Aman Dhir, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed with a prayer that the petitioner has already superannuated on 30.06.2020 and more than six months have elapsed since his superannuation but he has not been given pension though, there are no proceedings pending against him either before the department or before any other Competent Court of Law, which will grant the jurisdiction to the respondents to withhold the pension of the petitioner.

Learned counsel for the petitioner argues that as per the judgment in *A.S. Randhawa Vs. State of Punjab, 1997(3) SCT 468*, two months' time has been fixed as a reasonable time to release the pension, whereas in the present case despite expiry of six months, no pension has been released to the petitioner and that too without any valid justification.

approached the respondents raising the said grievance by filing representation dated 05.11.2020 (Annexure P-1), which is still pending consideration with respondent No. 3 and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 3 to decide the representation dated 05.11.2020 (Annexure P-1) in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Ms. Ambika Bedi, learned Assistant Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State. Learned State counsel raises no objection in deciding the representation dated 05.11.2020 (Annexure P-1) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No. 3 is directed to decide the representation dated 05.11.2020 (Annexure P-1) by passing a speaking order within a period of six weeks from the receipt of copy of this order. In case, it is found that petitioner is entitled for the release of the pension, same be released within next four weeks along with arrears.

Present writ petition stands disposed of.

January 13, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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