

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CWP No. 10522-2021

Date of Decision : 28.05.2021

Ranbir Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

(through video conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sunny Singla, Advocate for the petitioner.

Ms. Sunint Kaur, Assistant Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the grievance of the petitioner is that though he has already retired from service on attaining the age of superannuation on 29.02.2020 but his pensionary benefits have not been released by the respondents and that too without any valid justification.

Learned counsel for the petitioner submits that the reason informed to the petitioner orally is that the service book has been misplaced and efforts are being made to locate the same so that the pensionary benefits of the petitioner could be computed and released. Learned counsel for the petitioner argues that approximately one year and three months have elapsed since the petitioner has retired and the misplacing of the service book is not

benefits of the petitioner by the respondents is totally arbitrary and illegal and is causing serious prejudice to the petitioner.

Learned counsel for the petitioner submits that for the relief, which has been claimed in the present writ petition, the petitioner has already raised the grievance before the Block Development and Panchayat Officer vide Annexure P-5 dated 19.04.2021 and the prayer of the petitioner has already been forwarded by the Block Development and Panchayat Officer, Samana, District Patiala to the competent authority i.e. Director Rural Development and Panchayat Department. Learned counsel submits that the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 2 to decide the claim of the petitioner for the release of the pensionary benefits in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Ms. Sunint Kaur, learned Assistant Advocate General, Punjab, who has also 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 submits that the respondents have no objection in deciding the claim of the petitioner for the release of the pensionary benefits.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the petition or representation dated 19.04.2021 (Annexure P-5), respondent No. 2 is directed to decide the claim of the petitioner for the release of his pensionary benefits by passing an appropriate speaking order on the

representation dated 19.04.2021 (Annexure P-5), which has already been forwarded to the said authority by respondent No. 3, within a period of six weeks from the receipt of copy of this order. In case, it is found that the petitioner is entitled for any monetary benefit after the decision of the representation, the same should also be paid to the petitioner within one month thereafter.

The claim of the petitioner for the grant of interest on the delayed pensionary benefits be also considered by respondent No. 2 while passing appropriate speaking order keeping in view the settled principle of law.

Present writ petition stands disposed of.

May 28, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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