

(In virtual Court)

CWP No.11907 of 2021 (O&M)

Date of Decision: 07.07.2021

B.N. Bharti

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Bikram Chaudhary, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to release the retiral benefits i.e. pension, arrears of pension, GPF, Gratuity, Commutation of pension, leave encashment, 1st, 2nd, 3rd ACP scale and other admissible retiral benefits along with 18% interest. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal notices of the petitioner dated 07.09.2020 and 01.02.2021 (Annexures P-1 and P-2) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the legal notices of the petitioner dated 07.09.2020 and 01.02.201 (Annexures P-1 and P-2) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana accepts notice on behalf of the respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to respondent No.2 to decide the legal notices of the petitioner dated 07.09.2020 and 01.02.2021 (Annexures P-1 and 2) and take a conscious decision thereon by passing a speaking order; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

07.07.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No