

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(111)

CWP No. 7188 of 2022

Date of Decision : 25.05.2022

Gurmit Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Gurjeet Brar, Advocate for
Mr. Vikas Singh, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present petition, the prayer of the petitioner is for issuance of a direction to the respondents to pay him the retiral benefits and that too after granting him the benefit of ACP.

Learned counsel for the petitioner argues that the petitioner retired on 31.05.2019 but the pensionary benefits were not released to him on the ground that the petitioner was convicted by the competent Court of law and the criminal revision filed by the petitioner against the said conviction is pending. Learned counsel for the petitioner argues that the pendency of the criminal revision cannot come in the way for the release of the pensionary benefits to the petitioner, especially, when respondents have not passed any order after the conviction of the petitioner with regard to withholding of any benefit. Learned counsel for the petitioner submits that

petitioner is entitled for the release of his pensionary benefits forthwith.

Learned counsel for the petitioner submits that petitioner has already raised the said grievance in the representation dated 13.07.2021 (Annexure P-3), which is still pending consideration with the respondents and petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 3 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection in deciding the representation dated 13.07.2021 (Annexure P-3) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation, respondent No. 3 is directed to decide the representation dated 13.07.2021 (Annexure P-3), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

May 25, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	√ Yes/No
<i>Whether reportable?</i>	√ Yes/No