

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-4466-2022

Date of Decision :08.03.2022

Parminder Singh

..Petitioner

Versus

**The Financial Commissioner, Cooperation, Punjab
and others**

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Tahaf Bains, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present case, after the petitioner has attained the age of superannuation and retired on 31.12.2018, a sum of Rs.4,46,041/- has been withheld by the respondents out of the pensionary benefits admissible to the petitioner, and that too without any valid justification. Learned counsel for the petitioner submits that no order has been passed by the authority concerned, as of now, that the petitioner is liable to pay the retained amount to the respondents and, hence, in the absence of any such order, retaining of said amount by respondent No.3 is totally arbitrary and illegal. Prayer of the petitioner is for issuance of a direction to the respondents for the release of the said amount.

Learned counsel for the petitioner further submits that for the relief, which is being claimed in the present writ petition, the petitioner has already served the respondents with a legal notice dated 24.01.2022

(Annexure P/6), 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 respondent No.3 to decide the said legal notice by passing an appropriate speaking order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in legal notice dated 24.01.2022 (Annexure P/6), respondent No.3 is directed to decide legal notice dated 24.01.2022 (Annexure P/6) submitted by the petitioner by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order.

Present writ petition stands disposed of.

March 08, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No