

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CWP No. 4883 of 2022

Date of decision : 11.03.2022

Inderjeet Singh

...Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The present petition has been filed for issuance of a direction to the respondents to release the pensionary benefits of the petitioner, which have been withheld by the respondents without any valid justification.

Learned counsel for the petitioner argues that the petitioner has already retired on attaining the age of superannuation on 31.03.2021. Learned counsel submits that though, approximately one year has elapsed since the date of retirement of the petitioner, still no pensionary benefit has been extended to him. Learned counsel for the petitioner submits that there is no impediment in the release of the pensionary benefits of the petitioner whereas, keeping in view the judgment of Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468**, the pensionary benefits should have been released by the respondents within a period of two months of the retirement.

Learned counsel for the petitioner submits that for the relief,

which has been claimed in the present writ petition, petitioner has served

respondents with a legal notice dated 13.12.2021 (Annexure P-4), 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 respondents to decide the said legal notice.

Notice of motion.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, accepts notice on behalf of the respondent-State and raises no objection for the grant of prayer as raised in the present petition.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondents No. 2 and 3 are directed to decide the legal notice dated 13.12.2021 (Annexure P-4) by passing a speaking order within a period of eight weeks from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of four weeks thereafter.

Writ petition stands disposed of accordingly.

March 11, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*

Whether reportable? *No*