

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

CWP-4714-2022

Date of Decision : March 10, 2022

Gurmeet Singh

.. Petitioner

Versus

Registrar Cooperative Societies, Punjab and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harjot Singh Bedi, Advocate, for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner has already retired from the service of respondent No.4-Society on attaining the age of superannuation in March, 2021 but despite the fact that approximately one year has elapsed, the retiral benefits, for which the petitioner is entitled for, have not been released despite the fact that same already stands computed by the respondent-Society. Learned counsel for the petitioner submits that keeping in view the settled principle of law settled by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468**, an employee becomes entitled for the release of pensionary benefits within a period of two months from the date of retirement in case there is no impediment and as in the present case, there is no impediment for the release of the pensionary benefits, appropriate direction be given to the respondents to release the same along with interest.

Learned counsel for the petitioner further submits that for the relief which has been claimed in the present petition, the petitioner has already served a legal notice dated 10.11.2021 (Annexure P-3) with the respondents and the petitioner will be satisfied, at this stage in case a time bound direction is issued to respondent No.1 so as to direct respondent No.4 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, who is present in the Court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondents-State.

Learned counsel for the respondents raises no objection in deciding the legal notice of the petitioner in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 10.11.2021 (Annexure P-3), the present writ petition is disposed of with a direction to respondent No.1 so as to direct respondent No.4 to decide the legal notice dated 10.11.2021 (Annexure P-3) within a period of eight weeks from the date of receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision upon the legal notice, the same should also be paid to the petitioner within four weeks thereafter.

March 10, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No