

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

125

CWP-4797-2022

Date of Decision :10.03.2022

Sushil Kumar

..Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nakul Sharma, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present case, though, the petitioner has already attained the age of superannuation and retired from service on 30.04.2021 but, no retiral benefits except the part payment of Rs.1,89,000/- of CPF has been released to the petitioner and that too without any valid justification.

Learned counsel for the petitioner submits that though, an enquiry is pending against the petitioner but, that will not give jurisdiction to the respondents to withhold the complete pension of the petitioner and the provisional pension needs to be released to the petitioner under all circumstances.

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 respondent with legal notice dated 10.01.2022 (Annexure P/2), which is still pending consideration with them and the petitioner will be satisfied, at this stage, in case a time bound direction is

issued to the respondent No.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who has joined the proceedings through video conference accepts notice on behalf of respondent-State and raises no objection in deciding legal notice dated 10.01.2022 (Annexure P/2) submitted by the petitioner in a time bound manner 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 10.01.2022 (Annexure P/2), respondent No.2 is directed to decide legal notice dated 10.01.2022 (Annexure P/2) served by the petitioner to them by passing a speaking order within a period of eight weeks from the date of receipt of a copy of this order. In case after the decision, it is found that the petitioner is entitled for any relief, the same will also be released to him within a period of next four weeks.

Present writ petition stands disposed of.

March 10, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No