

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No.5193 of 2022

Date of Decision:-15.03.2022

Om Parkash

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Samrat Malik, Advocate
for the petitioner.

(Proceedings conducted through video conferencing)

HARSIMRAN SINGH SETHI J.(Oral)

The present petition is filed with a prayer that direction be issued to the respondents to decide the appeal filed by the petitioner against the order of compulsory retirement dated 06.12.2021 (Annexure P-2) in a time bound manner and with a further prayer that the pensionary benefits, for which the petitioner is entitled, be also released.

Learned counsel for the petitioner argues that the petitioner was compulsorily retired from service on 17.11.2021 and despite expiry of four months, no pensionary benefits of the petitioner have been released so far though, as per the judgment of the Full Bench of this Court in **A.S. Randhawa vs. State of Punjab and others, 1997(3) SCT 468**, an employee should be released pensionary benefits within a period of two months from the date of retirement.

Learned counsel submits as the petitioner has already filed a

representation with the respondents, which representation has already been forwarded by the Superintending Engineer to the Executive Engineer vide Annexure P-6 for the release of the pensionary benefits, and the appeal filed by the petitioner against the order of compulsory retirement dated 6.12.2021 is also pending consideration before the respondents, therefore respondent No.2 may kindly be directed to decide both the claims of the petitioner in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, Addl. A.G., Haryana submits that both the prayers of the petitioner i.e. Release of pensionary benefits as well as the decision of appeal will be looked into and appropriate order will be passed on both the prayers of the petitioner within a period of two months from the date of receipt of certified copy of this order. And in case, after the decision any amount is to be paid to the petitioner, the same will be paid to him within a period of next four weeks.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the grievance of the petitioner as is being raised in the present writ petition stands redressed and the present petition may kindly be disposed of being having been not pressed any further in view of the said statement.

Ordered accordingly.

March 15, 2022
Vijay Asija

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No