

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(121)

CWP No. 8531 of 2022

Date of Decision : 26.04.2022

Hargopal Singh

....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. T.P.S. Tung, Advocate for
Mr. A.P.S. Tung, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

In the present case, the grievance of the petitioner is that he has retired from service on 03.09.2020 but the pensionary benefits admissible to the petitioner have not been released to him and that too without any valid justification.

Learned counsel for the petitioner argues that in the present case, there is no impediment in the release of the pensionary benefits and, therefore, respondents are liable to be directed to release the pensionary benefits forthwith so that the petitioner could lead a dignified life. Learned counsel for the petitioner submits that the grievance raised in the present petition has also been raised by the petitioner in the legal notice dated 14.02.2022 (Annexure P-1), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a

direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Ms. Kanica Sachdeva, learned Assistant Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the claim of the petitioner but there is no Managing Committee and the same is being managed by an Administrator.

Once, the Managing Committee is being managed by the Administrator and Administrator has full right to manage the Committee, the excuse being given that in the absence of the Managing Committee retirement benefits cannot be released, is of no avail and cannot be accepted.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 14.02.2022 (Annexure P-1), respondents are directed to decide the legal notice dated 14.02.2022 (Annexure P-1), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

April 26, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No