

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.8666 of 2022

Date of Decision: 27.04.2022

Avtar Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Bikramjeet Singh Jatana, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner argues that the petitioner retired from service on attaining the age of superannuation on 31.08.2021 but despite the fact that more than eight months have been passed but no pensionary benefits, admissible to the petitioner, have been released to him by the respondents, which is contrary to 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*. Learned counsel submits that the respondents are liable to be directed to release all the pensionary benefits to the petitioner forthwith as, there is no impediment for the release of the same.

Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised in the legal notice dated 04.03.2022 (Annexure P-1) and petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the same by passing appropriate speaking order.

Notice of motion.

Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of

respondent-State and raises no objection for deciding the legal notice

dated 04.03.2022 (Annexure P-1) in a time bound manner by passing an appropriate speaking order.

Without going into the merits of the case or the claim made by the petitioner in the present petition or in the legal notice dated 04.03.2022 (Annexure P-1), the respondent No.2 is directed to decide the legal notice dated 04.03.2022 (Annexure P-1) within a period of eight weeks by passing a speaking order from the receipt of copy of this order. In case, after the passing of the speaking order, it is found that the petitioner is entitled for any relief/monetary benefits, the same be released to the petitioner within four weeks thereafter.

Present writ petition stands disposed of.

27.04.2022
manju

(HARSIMRAN SINGH SETHI)
JUDGE

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