

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

**CWP No.8813 of 2022
Date of Decision : 28.04.2022**

Jasbir Singh

... Petitioner

Versus

The State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Goyat, Advocate
 for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that in the present case, though the petitioner was compulsorily retired from Government service w.e.f. 17.09.2018, but no benefit of salary has been granted to the petitioner from the year 2016 onwards and even otherwise after the retirement, the pensionary benefits have not been released to him and that too without any valid justification, though there is no impediment to release the same.

Learned counsel for the petitioner submits that keeping in view certain principles of law settled by the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*, that an employee is entitled for the release of the pensionary benefits within a period of two months of retirement in case, there is no impediment and the petitioner is entitled for grant of the same. Hence, the respondents are liable to be directed to release the pensionary benefits of the petitioner along with interest.

Learned counsel for the petitioner further submits that the said grievance has already been raised by the petitioner in his legal notice dated 15.01.2022 (Annexure P-4) which is still pending consideration with the

respondent No.4 and the petitioner will be satisfied, at this stage in case a time bound direction is given to respondent No.4 to decide the said legal notice dated 15.01.2022 (Annexure P-4) by passing an appropriate speaking order.

Notice of motion.

On asking of the Court, Mr. Raman Kumar Sharma, Additional Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal Notice dated 15.01.2022 (Annexure P-4) 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 15.01.2022 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.4 to decide the legal notice dated 15.01.2022 (Annexure P-4) within a period of eight weeks from the receipt of copy of this order.

28.04.2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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