

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(113)

CWP No. 9434 of 2022

Date of Decision : 06.05.2022

Vinod Kumar

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jimmy Singla, Advocate for
Mr. Sandeep K. Bansal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner retired from service on 31.08.2021 and despite the fact that more than eight months have passed but no pensionary benefits have been released to him and that too without any valid justification. Learned counsel for the petitioner submits that the petitioner has been told orally by the respondents that due to the paucity of funds, the pensionary benefits could not be released, which reason is also contrary to the settled principle of law settled by the Division Bench of this Court in CWP No. 14426 of 2003 titled as ***Ram Karan Vs. Managing Director, Pepsu Road Transport Corporation and another***, decided on 16.08.2005. Learned counsel submits that respondents are liable to be directed to release the pensionary benefits of the petitioner forthwith along with interest.

Learned counsel for the petitioner submits that the petitioner

has already raised the said grievance in the representation dated 28.03.2022 (Annexure P-3), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 3 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. Anju Sharma Kaushik, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 28.03.2022 (Annexure P-3) in a time bound manner by passing an appropriate speaking order.

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 representation, respondent No. 3 is directed to decide the representation dated 28.03.2022 (Annexure P-3), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

May 06, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	√ <i>Yes/No</i>
<i>Whether reportable?</i>	√ <i>Yes/No</i>