

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(122)

CWP-10662-2022

Date of Decision : May 19, 2022

Satbira

.. Petitioner

Versus

State of Punjab and others

.. Respondents

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

Present: Mr. K.R. Dhawan, Advocate, for the petitioner.

**HARSIMRAN SINGH SETHI J. (ORAL)**

Learned counsel for the petitioner argues that in the present case, though the petitioner has retired on attaining the age of superannuation on 31.07.2020 but the pensionary benefits have not been released despite the fact that there is no impediment in the release of the said pensionary benefits and as per 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*, employee is entitled for the release of the pensionary benefits within a period of two months of the retirement in case there is no impediment failing which, employee is entitled for the grant of interest, hence, the respondents are liable to be directed to release the pensionary benefits of the petitioner forthwith.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by serving upon them a legal notice dated 02.05.2022 (Annexure P-1), which is still pending

consideration with the respondents and the petitioner will be satisfied at this stage, in case a time bound direction is issued to respondent No.3 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, 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 02.05.2022 (Annexure P-1) 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 02.05.2022 (Annexure P-1), the present writ petition is disposed of with a direction to respondent No. 3 to decide the legal notice dated 02.05.2022 (Annexure P-1) within a period of eight weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for the monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within four weeks thereafter.

**May 19, 2022**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No