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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-11760-2022

Date of Decision: 27.05.2022

Amarjit Singh Oberoi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amarjit Singh Bedi, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that after retirement of the petitioner from the services of the respondent-Department on 31.08.2008, upon attaining the age of superannuation, all the pensionary benefits admissible to him were not released in his favour by the respondents on the ground that there was an FIR pending against him on the said date.

Learned counsel for the petitioner submits that though the petitioner has already been acquitted by the respondents in FIR No.36, dated 06.06.2003, registered under Sections 409, 420, 465, 467, 468, 471 & 120-B of the IPC and Section 13(1) C, D read with Section 13(2) of the Prevention of Corruption Act, 1988, at Police Station Vigilance Bureau, Ludhiana, but still his pensionary benefits are not being released to him, even though there is no impediment in releasing the said benefits to him as of now.

grievance has also been raised by the petitioner before respondents No.1 and 3 by serving legal notice dated 16.02.2022 (Annexure P-8), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.3 to decide the legal notice dated 16.02.2022, by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 16.02.2022 (Annexure P-8) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 16.02.2022 (Annexure P-8), this petition is disposed of with a direction to the respondent No.3 to pass an appropriate speaking order on the legal notice dated 16.02.2022 (Annexure P-8), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order. In case, the petitioner is found entitled for any benefit, the same be also released in his favour within a period of four weeks thereafter.

27.05.2022*Apurva***(HARSIMRAN SINGH SETHI)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No