

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP-12764-2022

Date of Decision : June 02, 2022

Harish Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sudhir Makkar, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner was working as Naib Tehsildar till 31.08.2021. Learned counsel for the petitioner submits that after the retirement, he has not been paid his pensionary benefits though the same have already been calculated. Learned counsel for the petitioner further submits that there is no impediment in the release of the pensionary benefits and keeping in view the judgment of the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468**, the pensionary benefits are to be released within a period of two months of the retirement failing which, an employee is entitled for the grant of interest. Learned counsel for the petitioner further submits that keeping in view the settled principle of law, the respondents are liable to be directed to release the pensionary benefits of the petitioner forthwith along with interest.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by

serving upon them a legal notice dated 21.03.2022 (Annexure P-15) 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.2 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Raman Kumar Sharma, learned 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 21.03.2022 (Annexure P-15) 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 21.03.2022 (Annexure P-15), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 21.03.2022 (Annexure P-15) 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.

June 02, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No