

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(150)

CWP-13379-2022

Date of Decision : July 04, 2022

Neelam Rani

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Padamkant Dwivedi, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed with a prayer that the respondents may kindly be directed to release the pensionary benefits of the petitioner, which have been withheld by the respondents and that too without any valid justification.

Learned counsel for the petitioner argues that there is no impediment in the release of the pensionary benefits and therefore, keeping in view 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, the respondents are liable to be directed to release the pensionary benefits of the petitioner along with interest.

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 29.07.2020 (Annexure P-4), 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.

Mr. Amitoj Singh Dhaliwal, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 29.07.2020 (Annexure P-4) in a time bound manner by passing an appropriate speaking order.

Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 29.07.2020 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 29.07.2020 (Annexure P-4) by passing an appropriate 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.

July 04, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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