

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

**CWP No.14608 of 2022
Date of Decision:-12.07.2022**

Ashwani Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present:- Mr. Ramesh Goyat, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI J.(Oral)

Learned counsel for the petitioner argues that the petitioner was allowed voluntary retirement w.e.f. 28.10.2021 but the retiral benefits have not been released to the petitioner despite the fact that as of now there is no impediment in the release of pensionary benefits of the petitioner as there are no disciplinary proceedings pending against the petitioner, which would justify withholding the pensionary benefits of the petitioner by the respondents. Learned counsel submits that approximately seven months have been elapsed since the petitioner is retired, hence the respondents are under an obligation to release the pensionary benefits of the petitioner alongwith interest.

Learned counsel for the petitioner submits that for the relief claimed, the petitioner has already served a legal notice on 06.5.2022

(Annexure P-6), which is still pending consideration with the respondents as of now and the petitioner will be satisfied at this stage in case a time bound direction is given to the respondents to decide the same by passing appropriate order.

Notice of motion.

On asking of the Court, Mr. Harish Nain, AAG, Haryana accepts notice on behalf of respondents and raises no objection in deciding the legal notice dated 06.5.2022 (Annexure P-6) by passing an appropriate speaking order in a time bound manner.

Without going into the merits of the case or the claim being made by the petitioner in the present petition or in the legal notice, the respondent No.2 is directed to decide the legal notice dated 06.5.2022 (Annexure P-6) within a period of eight weeks from the date of receipt of certified copy of this order. In case, after the decision, the petitioner is found entitled for any benefits, the same be also extended to him within a period of next four weeks.

July 12, 2022
Vijay Asija

(**HARSIMRAN SINGH SETHI**)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No