

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

Sr. No.120

CWP No.14538 of 2022

Date of Decision: 12.07.2022

Kanhiya Lal

.... Petitioner

Versus

The State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Farukh Abdullah, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that the petitioner retired from service on attaining the age of superannuation on 30.09.2021 but certain pensionary benefits of the petitioner were withheld by the respondents keeping in view the fact that on the said date, disciplinary proceedings were pending against the petitioner.

Learned counsel submits that after the retirement of the petitioner, disciplinary proceedings came to an end. The chargesheet given to the petitioner was dropped by the respondents on 02.05.2022 but the pensionary benefits have still not been released by the respondents despite the fact that approximately more than two months have elapsed since then. Learned counsel submits that keeping in view the above, the respondents are liable to be directed to release the pensionary benefits of the petitioner forthwith along with interest.

Learned counsel submits that the grievance as raised in the present petition has already been raised by the petitioner in the representation dated 04.05.2022 (Annexure P-3), which is still pending

consideration with respondent No.1 and the petitioner will be satisfied if respondent No.1 is directed to decide the same in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana accepts notice on behalf of the respondents and raises no objection with regard to deciding the representation dated 04.05.2022 (Annexure P-3) moved by the petitioner, in a time bound manner.

Without going into the merits of the case, the present petition is disposed of with a direction to respondent No.1 to decide the representation dated 04.05.2022 (Annexure P-3) moved by the petitioner by passing an appropriate speaking order on the same within a period of 8 weeks from the receipt of copy of this order and in case, after the decision on the representation, the petitioner is found entitled for any relief, the same be released to him within a period of 4 weeks thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

12.07.2022

Maninder

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