

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(129)

CWP-16147-2022

Date of Decision : July 27, 2022

Dhoop Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajender Singh Malik, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner retired on attaining the age of superannuation on 30.06.2020 but all the pensionary benefits for which the petitioner is entitled for, have not been extended to him. Learned counsel for the petitioner submits that even the service benefit of 1st and 2nd ACP have not been extended to the petitioner after completing 10 and 20 years of service and that too without any valid justification, hence, 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 all the pensionary benefits to the petitioner forthwith alongwith interest.

Learned counsel for the petitioner further submits that the claim as being raised in the present petition has already been raised by the petitioner with the respondents vide legal notice dated 31.05.2022 (Annexure P-3), which is still pending consideration with the respondents

and the petitioner will be satisfied, at this stage, in case a direction is issued to respondents to decide the said legal notice in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Kiran Pal Singh, Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of respondents-State and raises no objection in deciding the legal notice dated 31.05.2022 (Annexure P-3) 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 31.05.2022 (Annexure P-3), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 31.05.2022 (Annexure P-3) 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.

July 27, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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