IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(262) **CWP-18286-2021**
Date of Decision : September 16, 2022

Ramesh Chand Saini **.. Petitioner**

Versus

Haryana Shehri Vikas Pradhikaran and others **.. Respondents**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. P.L. Verma, Advocate, for the petitioner.

Mr. Chaman Deep, Advocate, for
Mr. Deepak Balyan, Advocate, for the respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the grievance of the petitioner is that though the petitioner has already retired on 30.04.2022 on attaining the age of superannuation but retiral benefits of the petitioner have not been released to him till now and that too without any valid justification.

Learned counsel for the petitioner submits that there is no impediment in the release of the pensionary benefits of the petitioner as no departmental or criminal proceedings are pending against the petitioner so as to give jurisdiction to the respondent-Department to withhold the pensionary benefits of the petitioner, hence, keeping in view the settled principle of law settled by the Full Bench of this Court in ***A.S. Randhawa***

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Vs. State of Punjab and others, 1997(3) SCT 468, the respondents are under an obligation to release the pensionary benefits of the petitioner forthwith along with interest.

Learned counsel for the petitioner further submits that though notice of motion has been issued but as the grievance raised in the present petition has already been raised by the petitioner in his representation dated 11.08.2021 (Annexure P-7) and the same is still pending consideration with the respondents and the respondents be directed to decide the said representation by passing an appropriate speaking order.

Learned counsel for the respondents raises no objection in deciding the representation dated 11.08.2021 (Annexure P-7) 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 representation dated 11.08.2021 (Annexure P-7), the present writ petition is disposed of with a direction to respondent No.1 to decide the representation dated 11.08.2021 (Annexure P-7) 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 representation, the same should also be paid to the petitioner within four weeks thereafter.

September 16, 2022 **(HARSIMRAN SINGH SETHI)**
harsha **JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No

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