

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(222)

CWP No. 17112 of 2017

Date of Decision : 17.05.2022

Dalbir Singh

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Ms. Anupama Sharma, Advocate for the respondents.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner argues that though a number of prayers have been made in the present petition but the counsel is limiting his prayer to release of the pensionary benefits, which have been withheld by the respondents despite the fact that the petitioner retired from service on attaining the age of superannuation on 31.03.2013.

Learned counsel for the respondents submits that as per her information, keeping in view the affidavit of Dharam Suhag, Executive Engineer, XEN Sub Urban Division No. 2, UHBVNL, Karnal dated 27.04.2022, there are no proceedings, which are pending against the petitioner.

As the respondents have conceded the fact that there are no proceedings pending against the petitioner as of now hence, there is no

justification in not releasing the pensionary benefits of the petitioner now. The pensionary benefits of an employee can only be withheld in case, there is an impediment and the said impediment has to be stated in black and white, which should be in accordance with the rules governing the service coupled with the settled principle of law.

As in the present case, the respondents have conceded the factum that there is no impediment in the release of the pensionary benefits, let the pensionary benefits of the petitioner, if not already released, be released within a period of three months from the receipt of copy of this order. While releasing the said benefit, the claim of the petitioner for the grant of interest be also considered by the respondents and appropriate order on the said aspect be also passed.

Petition is disposed of in above terms.

May 17, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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