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

CWP-17516-2022

Date of Decision: 09.08.2022

Viney Kumar

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that even if some proceedings are pending against an employee at the time of his/her retirement, which gives jurisdiction to the Department concerned to withhold the pensionary benefits of the said employee upon the retirement, then also all of the said pensionary benefits cannot be withheld by the Department concerned and the provisional pension as well as the provident fund amount of the employee concerned needs to be released in the favour of the retired employee, which benefits have not been extended to the petitioner upon his retirement by the respondents.

Learned counsel for the petitioner submits that the same grievance has also been raised by the petitioner before the respondents by serving upon them legal notice dated 15.06.2022 (Annexure P-5), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to

respondent No.2 to decide the legal notice dated 15.06.2022, by passing an

appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, keeping in view the advance service of the copy of petition, accepts notice on behalf of the State and raises no objection in case prayer made hereinbefore on behalf of the petitioner to decide the legal notice dated 15.06.2022 (Annexure P-5) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 15.06.2022 (Annexure P-5), this petition is disposed of with a direction to respondent No.2 to pass an appropriate speaking order on the legal notice dated 15.06.2022 (Annexure P-5), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

09.08.2022

Apurva

(HARSIMRAN SINGH SETHI)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No