

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(215)

CWP-22985-2015

Date of Decision : March 15, 2022

Harpal Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. G.K. Mann, Senior Advocate, with
Mr. Sunil Kumar, Advocate, for the petitioner.

Mr. Navdeep Chhabra, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed for directing the respondents to release the pensionary benefits of the petitioner, which have been withheld despite the fact that the petitioner attained the age of superannuation and retired on 31.01.2012.

As per the averments made in the petition, the petitioner joined as a Gram Sewak with the respondents-Department and ultimately retired on 31.01.2012 but his pensionary benefits were not being released.

After notice of motion, the respondents have filed the reply. In the reply, the respondents have mentioned that during the audit of Gram Panchayat, Fatehgarh Gujran, where the petitioner was posted, certain embezzlements were unearth and as the enquiry was pending against the

petitioner at the time of his retirement, certain pensionary benefits of the petitioner were withheld.

Today, learned counsel for the respondents submits that the enquiry has already been finalized and a cut has been imposed and after the said proceedings came to an end, the pensionary benefits for which the petitioner was found entitled for, have already been released.

Keeping in view the fact that the pensionary benefits have already been released according to the respondents after the enquiry proceedings came to an end, wherein the punishment was also imposed upon the petitioner.

No further orders are required to be passed in the present petition but the petitioner is still given liberty that in case, the petitioner has any grievance left with regard to the quantum of the benefits released to him, the petitioner will be at liberty to file a representation with the respondents claiming those benefits and in case the petitioner avails the said remedy, the respondents are directed that any representation filed by the petitioner, be decided within a period of eight weeks of the receipt of the same by passing an appropriate speaking order and in case after the speaking order is passed and the petitioner is found entitled for any benefit, the same be also released to him within a period of next four weeks.

The present petition is disposed of in above terms.

March 15, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No