

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

(125)

CWP-18599-2022

Date of Decision : August 24, 2022

Ashok Kumar Bansal

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Mohunta, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

The prayer of the petitioner in the present petition is that though the petitioner has already attained the age of superannuation on 30.09.2020 after which he was given re-employment and the petitioner continued working with the respondents till 01.03.2021 after which date he retired from service and the respondents were under an obligation to release the pensionary benefits of the petitioner but the same are not been released to him without any valid justification.

Learned counsel for the petitioner submits that there is no impediment in the release of the pensionary benefits as there are no proceedings pending against the petitioner so as to give jurisdiction to the respondents to withhold the same, hence, appropriate direction be issued to the respondents to release the pensionary benefits.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by filing a representation dated 07.06.2022 (Annexure P-10), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.3 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 07.06.2022 (Annexure P-10) 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 07.06.2022 (Annexure P-10), the present writ petition is disposed of with a direction to respondent No.3 to decide the representation dated 07.06.2022 (Annexure P-10) 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.

August 24, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No