

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(126)

CWP-19394-2022

Date of Decision : August 31, 2022

Siri Pal

.. Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Limited and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Suresh Ahlawat, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner retired from service on attaining the age of superannuation on 28.02.2022 but no pensionary benefits have been released to the petitioner 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, hence, keeping in view the judgment of the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*, the respondents were under an obligation to release the pensionary benefits within a period of two months of the retirement, which period has already elapsed and therefore, the respondents are liable to be directed to release the pensionary benefits of the petitioner forthwith along with interest.

Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by filing a representation dated 25.07.2022 (Annexure P-1), 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.2 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Mr. Vivek Saini, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the representation dated 25.07.2022 (Annexure P-1) 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 25.07.2022 (Annexure P-1), the present writ petition is disposed of with a direction to respondent No.2 to decide the representation dated 25.07.2022 (Annexure P-1) 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 31, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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