IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(121) **CWP-22600-2022**
Date of Decision : September 29, 2022

Anand Kumar **.. Petitioner**

Versus

State of Haryana and others **.. Respondents**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Johan Kumar, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the retiral benefits of the petitioner have not been released on the ground that there are disciplinary proceedings anticipated against the petitioner whereas, after the retirement, there is no rules which gives the power to the respondents to initiate disciplinary proceedings, hence, non-release of the pensionary benefit of the petitioner after the petitioner has already superannuated, is without any jurisdiction and 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 15.12.2021 (Annexure P-4), which is still

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pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Mr. R.S. Budhwar, Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of respondent No.1 and Mr. Padam Kant Dwivedi, Advocate, who is also present in the Court, accepts notice on behalf of respondents No. 2 and 3 and they raise no objection in deciding the representation dated 15.12.2021 (Annexure P-4) 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 15.12.2021 (Annexure P-4), the present writ petition is disposed of with a direction to respondent No.2 to decide the representation dated 15.12.2021 (Annexure P-4) within a period of four 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.

September 29, 2022 **(HARSIMRAN SINGH SETHI)**
harsha **JUDGE**

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

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