

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
(110)

CWP No.26707 of 2022  
Date of Decision : 22.11.2022

Dr. Piush Kumar

....Petitioner

Versus

Union of India and others

....Respondents

***CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present:- Mr. Jai Bhagwan Tobria, Advocate  
for the petitioner.

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**Harsimran Singh Sethi, J. (Oral)**

Learned counsel for the petitioner argues that the petitioner has already retired from service on attaining the age of superannuation on 31.01.2022 but no pensionary benefits have been released to the petitioner despite the fact that more than 10 months have passed whereas as per the settled principles of law settled by the Full Bench in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468**, the respondents are under obligation to release the pensionary benefits within a period of two months of the retirement in case there is no impediment, hence as there is no impediment in the release of the pensionary benefits of the petitioner, the respondents be directed to release the pensionary benefits forthwith along with arrears and interest.

Learned counsel submits that the petitioner has already raised the grievance before the authorities concerned, which is still

pending consideration with the respondents and the petitioner will be statisfied at this stage in case a time bound direction be given to the respondents to decide the representation dated 15.07.2022, copy of which has been appended as (Annexure P-8) by passing appropriate speaking order.

Notice of motion to the respondents.

Mr. Bharat Bhushan Sharma, Advocate for respondents No.1 to 3 and Mr. Harish Nain, Assistant Advocate General, Haryana for respondents No.4 to 7, who are present in the Court accept notice and raise no objection for deciding the representation.

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 15.07.2022 (Annexure P-8) , the present writ petition is disposed of with a direction to respondent No.5 to decide the representation dated 15.07.2022 (Annexure P-8) 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.

November 22, 2022  
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( HARSIMRAN SINGH SETHI )  
JUDGE

*Whether reasoned/speaking?*    *Yes*  
*Whether reportable?*                *No*