

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

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CWP-29065-2019

Date of decision: 16.11.2022

VAKIL RAM ALIAS BAKIL RAM

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Rakesh Nagpal, Advocate
for the petitioner.

Mr. Sharan Sethi, Addl. A.G. Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of writ in the nature of Certiorari for quashing the order dated 12.07.2019 (Annexure P-12) whereby old age pension of the petitioner has been stopped and the respondents had rejected the claim of the petitioner for pension and held that the pension to the petitioner has been rightly stopped. A further direction was sought to effect recovery of Rs. 50,000/- alongwith interest @ 12% per annum from 2015 onwards.

Learned counsel appearing on behalf of the respondent-State has contended that after the aforesaid order passed by the respondents, the reply to the writ petition was sent to the Head Office for vetting. The Head Office (Pension) Branch directed the respondents to review the speaking order in accordance with the notification and directions issued by the Department from time to time.

Accordingly, the aforesaid order was reconsidered by the respondent and upon reconsideration thereof, the impugned order dated

12.07.2019 has been withdrawn and a direction has been issued for pension to be released to the petitioner. It has also been incorporated in the order bearing memo No.1900-01 dated 12.04.2022 that arrears be also released after obtaining approval from the Head Office. Reference in this regard was also made by the District Social Welfare Officer, Kaithal to the Director General Social Welfare Department.

Learned counsel appearing on behalf of the petitioner does not dispute the aforesaid facts, however, he contends that even though the order in question was passed on 12.04.2022, however, the arrears have not yet been released by the Head Office despite lapse of more than 07 months.

Learned counsel appearing on behalf of the respondent-State contends that the necessary decision shall be taken in a time bound manner and preferably within a period of 02 months

Taking into consideration, the aforesaid statement made by the respondents, the present petition is disposed of at this stage in view of the principle grievance of the petitioner being redressed. The respondent-department-Director General Social Welfare shall take a decision on the disbursement of arrears of the petitioner within a period of 02 months from today and in the event of arrears being approved, the same shall be released within a period of 01 month thereafter.

Petition is accordingly disposed of.

(VINOD S. BHARDWAJ)
JUDGE

NOVEMBER 16, 2022

Vishal sharma

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