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

CWP-25097-2022

Date of Decision : 01.11.2022

Satvir Mehta

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present : None.

HARSIMRAN SINGH SETHI, J. (ORAL)

The lawyers are abstaining from work due to a call for strike given by the Bar.

In the present petition, the grievance of the petitioner is that though the petitioner has already retired but he has not been released the gratuity, leave encashment, pension and one month salary in lieu of the LTC for the block year 2020-2023 apart from one increment to which the petitioner is entitled for w.e.f. 01.07.2021 alongwith arrears and interest.

As per the pleadings, there are disciplinary proceedings pending against the petitioner even after his retirement. As per the petitioner, the pendency of the disciplinary proceedings does not give jurisdiction to the Department to withhold even the pension or some of the other benefits which have also been withheld hence, even the non-release of the pension and the payment in lieu of the LTC as well as the

increment for the service rendered, is totally arbitrary.

From the pleadings, it transpires that the grievance which has been raised by the petitioner in the present petition has also been raised in the representation dated 28.06.2022, copy of which has been appended as Annexure P-19 which is still pending consideration with the respondents.

Interest of justice will be served, 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.

Without going into the merits of the case or the claim raised by the petitioner in the present case or in the representation dated 28.06.2022 (Annexure P-19), respondent No.2 is directed to decide the said representation dated 28.06.2022 (Annexure P-19) within a period of eight weeks by passing a speaking order from the receipt of copy of this order. In case, after the passing of the speaking order, it is found that the petitioner is entitled for any relief, the same be released to the petitioner within four weeks thereafter.

Present writ petition stands disposed of.

01.11.2022
mamta

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No