

CWP-10115-2023

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(130)

CWP-10115-2023
Date of decision:- 10.05.2023

Anil Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Gourav Jain, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed *inter alia* seeking issuance of a writ in the nature of mandamus directing the respondents to release the pensionary benefits, i.e., leave encashment, LTC, GIS and benefit of pay protection as well as ACP.
2. Counsel for the petitioner submits that petitioner retired from the post of Tehsildar on 31.10.2022 and by virtue of Annexure P-3, pension, GPF, gratuity and commuted pension have been released, but the remaining retiral benefits have not been disbursed to the petitioner. He submits that petitioner has submitted a representation dated 14.03.2023, Annexure P-4, which is pending with the respondents and the petitioner would be satisfied in case a direction is issued to the respondents to look into it.
3. Notice of motion.

4. On asking of the Court, Mr. Pankaj Middha, Addl. A.G., Haryana accepts notice on behalf of the respondents.
5. Given the nature of order being passed, this Court does not deem it necessary to call for a response from the respondents.
6. Without commenting upon the grievance of the petitioner, writ petition is disposed of with a direction to respondent No.2 to examine the representation, Annexure P-4, within a period of four months from the date of communication of a copy of this order.
7. In case, respondent No.2 finds that the petitioner is not entitled to the benefits claimed, an order be passed assigning reasons for rejection within the aforesaid period and in case, it is found that the claim of the petitioner deserves to be acceded to, the consequential monetary benefits be released within a period of two months thereafter.
8. In case, the amount is not released within the time frame specified above, interest @ 6 % per annum shall be payable by the State on the amount due from the date of retirement till disbursal.

10.05.2023
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No