

CM-12053-2023 in/and
CWP-11276-2023

2023:PHHC:099462

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(107)

CM-12053-2023 in/and
CWP-11276-2023
Date of Decision : 02.08.2023

Sadhu Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shishen Kashyap, Advocate for
Mr. Sandeep Singal, Advocate for the applicant-petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

CM-12053-2023

Learned counsel for the applicant-petitioner submits that in the present petition notice of motion has already been issued but the applicant-petitioner is facing acute hardship and prejudice as he is not getting any pensionary benefit despite being eligible.

Learned counsel for the applicant-petitioner further submits that in the present application a prayer has been made for directing the respondents to release the pensionary benefits but the applicant-petitioner will be satisfied in case, the hearing of the main writ petition is preponed

and appropriate order is passed giving direction so that applicant-petitioner is able to receive his pensionary benefits expeditiously.

Notice of the application to the counsel for the respondents.

On the asking of the Court, Mr. Pankaj Middha, learned Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection for preponing the hearing of the main petition.

Keeping in view the joint request of learned counsel for the parties, the present application is disposed of by preponing the hearing of the main case from 03.10.2023 to today.

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1. In the present petition, the grievance which is being raised by the petitioner is that though he has already attained the age of superannuation and retired but his pensionary benefits have been retained by the respondents and that too without any valid justification.

2. Learned counsel for the petitioner submits that petitioner is suffering prejudice as he is not able to survive in these hard days in the absence of release of his pensionary benefits, hence, the respondents be directed to decide the claim of the petitioner for the release of the pensionary benefits in a time bound manner and release the same without any further delay.

3. Learned State counsel submits that appropriate order on the claim of the petitioner with regard to the release of the pensionary

benefits will be passed within a period of four weeks from today and in case the petitioner is found entitled for any benefit as per the speaking order, the same will be released to the petitioner within a further period of four weeks.

4. Learned counsel for the petitioner submits that keeping in view the said statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further, at this stage, with liberty to the petitioner to avail appropriate remedy in case, he is aggrieved against the speaking order passed by the respondents.

5. Ordered accordingly.

August 02, 2023
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No