

2023:PHHC:116218
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

233 **CWP-23727-2021**
Date of Decision:-04.09.2023

LAXMAN SINGH

...Petitioner

Versus

HARYANA SHEHRI VIKAS PRADHIKARAN AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: None for the petitioner.

Mr. Prateek Mahajan, Advocate with
Mr. Vasu Gupta, Advocate and
Mr. Mayank Vashishth, Advocate
for the respondents.

SANDEEP MOUDGIL, J. (Oral)

1. The instant petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of writ in the nature of mandamus directing the respondents to release the pension, gratuity, leave encashment, commutation of pension and GIS etc. along with 18% interest per annum to the petitioner, from due date i.e. 01.04.2021 till the date of its realization.

2. Assertions made in the instant petition is that petitioner has retired from his services, on attaining the age of superannuation on 31.03.2021 but has not received pension and other retiral benefits till date from the office of respondent No.3, on the basis of criminal proceeding, which was pending against him, where charges were yet to be framed. Reliance has been placed on similarly situated employee, namely Dev Dutt Narang, who like the petitioner, was involved in FIR No.27 dated 27.11.2021, but he was granted pension and other pensionary benefits by

respondent No.3, when he got retired on attaining the age of superannuation. On the basis of similarly situated employee, prayer has been made that pension and other pensionary benefits be paid to the petitioner.

3. In response thereto, vide previous order dated 29.08.2022, learned counsel for the respondents had submitted that DCRG, leave encashment, GIS and GPF have already been released to the petitioner and pension will be released to the petitioner within a period of four weeks after completing all the formalities. He had produced letter dated 29.08.2022, showing the different heads, under which amount has been paid to the petitioner, which is as follows:

- | | |
|------------------------------|----------------|
| 1. GIS | Rs.37,766/- |
| 2. GPF | Rs.2,67,200/- |
| 3. DCRG and leave encashment | Rs.1,60,4416/- |

4. Today, learned counsel for the respondents on instructions submits that all retiral benefits have been released to the petitioner. He further submits that pension case of the petitioner is under process.

5. There is no representation on behalf of the petitioner and same was the situation on the last of hearing also.

6. In the light of the above, the present petition has become infructuous.

7. Accordingly, this petition is ordered to be disposed of as having been rendered infructuous.

04.09.2023

P.Bhatt

(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No