

CWP No. 24154 of 2023

2023:PHHC:137133

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(114)

CWP No. 24154 of 2023

Date of Decision : 20.10.2023

Tej Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, Deputy Advocate General,
Haryana.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner submits that though the petitioner has already retired on attaining the age of superannuation on 30.11.2022 but all the pensionary benefits have not been released, which is causing prejudice to him. Learned counsel for the petitioner further submits that non-release of the pensionary benefits within a period of two months is also contrary to the judgment of the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468**, hence, the respondents are under obligation to release the pensionary benefits of the petitioner forthwith as there is no valid justification to withhold the same.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 14.06.2023 (Annexure P-5) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Tapan Kumar Yadav, learned Deputy Advocate General, Haryana. who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 14.06.2023 (Annexure P-5) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to him within a further period of four weeks.

Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

Ordered accordingly.

October 20, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No