

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

116

CWP No. 25269 -2023 (O&M)
Decided on : 08.11.2023

Ravinder Kaushik

. . .Petitioner

Versus

State of Haryana and Another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Sushil Jain, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Learned counsel for the petitioner submits that the petitioner has already retired from service on attaining the age of superannuation on 31.07.2022 but his certain pensionary benefits has not been released on the ground that an FIR No. 24 of 2017 under Sections 379, 166, 120-B IPC, is pending against the petitioner at Police Station Industrial Area, Chandigarh.

Learned counsel for the petitioner submits that the said FIR has already been cancelled, therefore, as of now, there is no impediment in the release of the pensionary benefits of the petitioner, hence respondents are under obligation to release the pensionary benefits to the petitioner forthwith so that the petitioner does not suffer any further prejudice.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the Legal Notice dated 26.09.2023 (Annexure P-6) 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.

3. Notice of motion.

4. On the asking of the Court, Mr. Pankaj Middha, Additional

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 26.09.2023 (Annexure P-6) 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**.

5. 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.

6. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

08.11.2023

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Whether speaking/reasoned: *Yes/No*
Whether Reportable: *~~Yes~~/No*