

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(124)

CWP No. 1995 of 2024
Date of Decision : 31.01.2024

Karan Sagar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. R.K. Arora, Advocate for the petitioner.

Mr. Rohit Ahuja, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that despite the fact that petitioner has retired from the post of District Welfare Officer on 31.10.2021 and there is no impediment in the release of the pensionary benefits to the petitioner but still, pensionary benefits are not being released and that too without any valid justification, hence, respondents are under obligation to release the pensionary benefits of the petitioner along with interest. Learned counsel for the petitioner further submits that even the benefit of ACP with all consequential benefits which was required to be extended to the petitioner during his service career has not yet been given, the same is also liable to be given to the petitioner so that petitioner is able to get his entitled pensionary benefits.

2. Learned counsel for the petitioner informs this Court that even the actual benefit of re-fixation done by the respondents has not been extended to the petitioner upto the date he retired and claimed that respondents are under obligation to firstly calculate the last paid entitlement of the petitioner and thereafter, calculate the pensionary benefits of the petitioner and release the same along with interest.

3. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 05.04.2022 (Annexure P-8) 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.

4. Notice of motion.

5. On the asking of the Court, Mr. Rohit Ahuja, learned Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 05.04.2022 (Annexure P-8) 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 from the date 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.

6. 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.

7. Ordered accordingly.

January 31st, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No