

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(125)

CWP-5877-2024
Date of Decision : March 13, 2024

Mohinder Singh .. Petitioner

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nikhil Vats, Advocate, for the petitioner.
Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. Learned counsel for the petitioner argues that the petitioner was facing the criminal as well as departmental proceedings at the time when he retired from service on 29.02.2020 due to which, certain pensionary benefits of the petitioner were withheld including the grant of 3rd ACP, commutation of pension, leave encashment and release of gratuity. Learned counsel for the petitioner submits that subsequent to the retirement, the petitioner was exonerated in the criminal proceedings and even the departmental proceedings were dropped against him hence, the respondents are under an obligation to consider the claim of the petitioner for the grant of 3rd ACP and other consequential benefits as well as interest on the delayed release of pensionary benefits.

2. Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised by the petitioner in the

legal notice dated 01.01.2024 (Annexure P-7) which is still pending consideration with the respondents and the petitioner will be satisfied at this stage in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

3. Notice of motion.

4. Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

5. Learned counsel for the respondents submits that in case the legal notice dated 01.01.2024 (Annexure P-7) has been received in the concerned office and is still pending consideration, the same will be decided by the authorities concerned within a period of eight weeks of the receipt of copy of this order.

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

7. Ordered accordingly.

March 13, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No