

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

147

CWP-6468-2024 (O&M)

Date of decision: 18.03.2024

Sunil Kumar Sharma

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Vikas Kumar Gupta, Advocate for the petitioner.

AMAN CHAUDHARY, J

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of direction to the respondents to release all admissible benefits of pension scheme, GP Fund, GIS, Leave Encashment, DCRG etc.

2. Learned counsel would contend that on attaining the age of superannuation, petitioner had retired on 31.12.2021, however, the retiral benefits have not been released to him without any justification. In this regard, a legal notice dated 11.04.2023 (Annexure P1), has been served upon the respondents and reply to which dated 17.05.2023 (Annexure P2) has been received. In para 5(i) thereof, it has already been admitted that the final payment of GPF has been sent to the higher authority for sanction on 15.05.2023, however, till date the same has not been released besides leave encashment, as these cannot be withheld in view of the judgment of **Punjab State Civil Supplies Corporation Ltd. & ors vs. Pyare Lal**, LPA-113-2012 though other benefits can be. He thus, at this stage, on instructions, submits that the petitioner would be satisfied in case, a direction is given to the respondents to release his dues, in a time bound manner.

3. Notice of motion.

4. At the asking of the Court, Mr. Amarpreet Singh Bains, AAG, Punjab, accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.

5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to the respondents to release the dues, for which there is no impediment, in terms of the reply to the legal notice as also the judgment relied upon in the case of Pyare Lal (supra) during the pendency of inquiry, within a period of 4 months.

18.03.2024
ashok

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No