



CWP-17588-2024 (O & M)

In the High Court of Punjab and Haryana at Chandigarh

130

CWP-17588-2024 (O & M)

Date of Decision: July 29, 2024

Vinod Kumar

.....Petitioner

VERSUS

The State of Punjab and Others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Himanshu Chhabra, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. In the present petition, grievance being raised by the petitioner is that though the petitioner retired on 30.09.2023 but, he has not been paid his retiral benefits and there is no valid justification with the respondents to withhold the same. Learned counsel for the petitioner submits that as per the judgment of the Full Bench of this Court in **A.S. Randhawa vs. State of Punjab and others, 1997 (3) SCT 468**, that an employee is entitled for the release of his/her pensionary benefits within a period of two months of his/her retirement in case, there is no impediment but still, despite there being no impediment, the petitioner has not been relieved the pensionary benefits even after expiry of 10 months.

2. Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised through legal notice dated 31.10.2023 (Annexure P/3), which is still pending consideration 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.



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- 3. Notice of motion.
- 4. Mr. Arun Gupta, Deputy Advocate General, Punjab, who is present in Court accepts notice on behalf of the respondent-State.
- 5. Learned counsel for the respondents submits that in case, legal notice dated 31.10.2023 (Annexure P/3) has been received from the petitioner and is still pending consideration with the authorities concerned, the same will be decided in accordance with law and an appropriate speaking order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case, it is found feasible to grant the relief to the petitioner, the same will be extended to him otherwise, due reasons for not accepting the claim of the petitioner will be mentioned in the speaking order so passed, which will be conveyed to the petitioner.
- 6. Learned counsel for the petitioners submits that keeping in view the statement of the learned counsel for the respondents, present petition may kindly be disposed of having been not pressed any further.
- 7. Ordered accordingly.

July 29, 2024
A. Kaundal

(HARSIMRAN SINGH SETHI)
JUDGE

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