

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision : 14-08-2024

.....Petitioner

STATE OF PUNJAB AND ORS.

.....Respondent(s)

Present: Mr. Parveen Kumar Garg, Advocate
for the petitioner.

Mr. Amarpreet Singh Bains, AAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner submits that the petitioner had applied for premature retirement, which was not objected to by the competent authority and keeping in view the Punjab Civil Services (Premature) Retirement Rules 1975, once within a period of three months of the application, there is no objection with regard to the prayer of the grant of premature retirement, an employee is deemed to be retired hence, the petitioner stands retired in January, 2024, however his pensionary benefits are not being allowed by respondent No.1, which act on the part of the respondents is arbitrary and illegal.

Learned counsel for the petitioner submits that the grievance of the petitioner has already been raised in the representation dated 12.06.2024, copy of which has been appended as Annexure P-3, the petitioner would be

satisfied at this stage, if direction is issued to the respondents to decide the same in the time bound manner and shall decide the same by passing an appropriate speaking order.

Notice of motion.

Mr. Amarpreet Singh Bains, AAG Punjab appears and accepts notice on behalf of the respondent-State.

Learned State counsel submits that in case the representation (Annexure P-3) dated 12.06.2024 has been received in the concerned office, an appropriate speaking order on the same would be passed by respondents within a period of 8 weeks of the receipt of copy of this order. Learned State counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed, which will be conveyed to him.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, present set of petitions may kindly be disposed of as having been not pressed any further.

Ordered accordingly.

Pending application, if any, also stands disposed off.

14-08-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO