



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(112)

CWP No. 28137 of 2024
Date of Decision : 19.10.2024

Jagtar Singh Verka and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. A.K. Walia, Advocate for the petitioners.
Mr. Swapan Shorey, Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioners submits that the petitioners' pensionary benefits have been retained by the respondents and that too without any valid justification though, in the criminal proceedings, no charge-sheet has been prepared so as to hold that criminal proceedings are pending against the petitioners, which will give effect to the respondents to withhold the pensionary benefits. Learned counsel submits that the similar claim has already been allowed by this Court while passing order in CWP No. 10423 of 2023 titled as ***Kashmir Singh and others Vs. State of Punjab and others***, decided on 02.08.2024, the benefit of which judgment should also be extended to the petitioners.
2. Learned counsel for the petitioners submits that the petitioners have raised the same grievance before the authorities concerned through the legal notice dated 07.08.2024 (Annexure P-5) but the same is still pending



consideration with the respondents and the petitioners 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.

3. Notice of motion.

4. On the asking of the Court, Mr. Swapan Shorey, 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 07.08.2024 (Annexure P-5) 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. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioners, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioners in the speaking order to be passed and the said order will be duly conveyed to the petitioners.

5. Learned counsel for the petitioners 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.

6. Ordered accordingly.

October 19, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No