

2024:PHHC:164289



**115+314 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-18469-CWP-2024 in/and
CWP No.28652 of 2023
Date of Decision : 10-12-2024**

JAGTAR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. V.K Shukla, Advocate
for the petitioner.

Mr. Amarpreet Singh Bains, AAG Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-18469-CWP-2024

This is an application for placing on record reply by way of affidavit of Krishan Kumar, IAS, Financial Commissioner, Taxation, Punjab on behalf of respondent Nos.1 and 2 along with Annexures R-1 to R-14.

Keeping in view of the contents mentioned in the application, the same is allowed. Reply by way of affidavit of Krishan Kumar, IAS Taxation, Punjab on behalf of respondent Nos.1 and 2 along with Annexures R-1 to R-14 is taken on record subject to all just exceptions.

CWP No.28652 of 2023

In the present petition, the grievance being raised by the petitioner is that though the petitioner had already retired from service on 30.06.2021 but his pensionary benefits have not been released to him, which is causing prejudice to the petitioner.

Upon notice of motion, the respondents have filed their reply. In the reply, the respondents have stated that on the date when the petitioner retired, there was a chargesheet which was issued against the petitioner pending consideration with the Department and after the retirement, provisional pension was issued to the petitioner and later in the disciplinary proceedings found petitioner was guilty of charges hence, vide order dated 04.01.2023, 10% cut in pension has been imposed.

Learned counsel for the Department further submits that various letters have been issued to the petitioner to submit the requisite documents so as to finalize the release of his pensionary benefits but, the petitioner has failed to submit the requisite document for the release of the withheld pensionary benefits hence, the delay in the release of the pensionary benefits is attributed to the petitioner and not the State.

Learned counsel for the petitioner submits that the petitioner will complete the necessary documents.

The respondents are directed that within a period of 6 weeks of the submission of requisite documents by the petitioner, the pensionary benefits qua which the petitioner is entitled for, be released to him.

The present petition is disposed of in the above terms.

Pending application, if any, also stands disposed of.

10-12-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

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