

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109)

CWP No. 413 of 2024
Date of Decision : 06.02.2024

Anil Malik

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanjeev Kodan, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner argues that in the present petition though, the preliminary enquiry report dated 18.09.2019 (Annexure P-5) and the charge-sheet dated 24.11.2022 (Annexure P-7) have been challenged but at this stage, the challenge to the same may kindly be disposed of having been not pressed with liberty to agitate the said grievance before the authorities concerned.

2. Learned counsel for the petitioner further submits that the petitioner has already attained the age of superannuation and has retired and none of his pensionary benefits have been released, which is causing prejudice to him, as all the pensionary benefits could not have been withheld by the respondents even during the pendency of disciplinary proceedings. Learned counsel further submits that appropriate direction needs to be issued to the respondents to release all the pensionary benefits of the petitioner as he is

entitled for, in the facts and circumstances of the present case along with interest.

3. Notice of motion.

4. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the petitioner is only raising grievance qua the release of the pensionary benefits and in case any representation is received from the petitioner for the release of the same, the same will be processed and appropriate order will be passed within a period of eight weeks from the date of the receipt of any such representation and whatever the benefits, which the petitioner is entitled for qua the release of pensionary benefits, will be adjudicated in terms of the rules applicable and appropriate order will be passed and any benefit for which the petitioner is entitled for, the same will be extended to him within a further period of four weeks.

5. Learned counsel for the petitioner 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.

February 6nd, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No