

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

CWP-15589-2015 (O&M)
Date of decision : 31.07.2015

Smt. Nirmala

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. J.J. Kaur, Advocate,
for the petitioner.

JITENDRA CHAUHAN, J.

Prayer in the present petition filed under Articles 226/227 of the Constitution of India, is for issuance of a direction to the respondents to release the retiral benefits to the petitioner.

It is contended that the controversy already stands settled by this Court in CWP No.917 of 1998, ***Smt. Raksha Rani Khosla Vs. State of Punjab and others***, decided on 30.08.2013. This judgment was challenged in LPA No.2107 of 2013 and SLP No.351 of 2013, which also stand dismissed vide Annexures P-3 and P-5. The learned counsel submits that the case of the petitioner is squarely covered by the ratio of law laid down in Raksha Rani's case (supra).

Having regard to the nature of the order being passed, there appears to be no necessity to call upon the respondents to file their counter replies/affidavits, at this stage.

In the circumstances, the present petition is disposed of with a direction to the competent authority, to examine the case of the petitioner as to whether it is covered by the ratio of law laid down in Annexure P-2, and accordingly decide the legal notice dated 16.03.2014 (Annexure P-4) within a period of two months from the date of receipt of a certified copy of this order. If the case of the petitioner is covered, the consequential benefits be released to the petitioner within a period of two months thereafter.

Disposed of.

31.07.2015

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(JITENDRA CHAUHAN)
JUDGE