

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

CWP No.2621 of 2015

Date of decision:16.02.2015

Raminder Kaur

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Madhav Pokhrel, Advocate for the petitioner.

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TEJINDER SINGH DHINDSA, J.

It is the submission made by the counsel that the petitioner joined the respondent, Department of School Education, State of Punjab on 05.09.1989 on regular basis as a Lecturer in Commerce. After having completed 20 years of qualifying service, the petitioner served upon the respondents a three months notice seeking premature retirement in the light of the relevant statutory provisions under the Punjab Civil Services (Premature Retirement) Rules, 1975. It is the contention raised by the counsel that upon expiry of the 90 days notice period, the petitioner would be deemed to have been prematurely retired from service. Counsel would even refer to the requisite certificates issued by the Principal, of the concerned Senior Secondary School at Annexures P-6 and P-7 as per which the work and conduct of the petitioner was satisfactory and no complaint or inquiry had been initiated and as such, was not pending against her. It is also the categorical assertion made by the counsel that the petitioner had duly served the respondent/department till 10.03.2011 i.e. the completion of notice period as per notice dated 09.12.2010 at Annexure P-1.

It is the grievance raised by the petitioner that till date the requisite admissible retiral benefits upon treating the petitioner to have prematurely retired from service upon the expiry of 90 days' notice period have not been released to her till date.

Without even going into the merits of the controversy and without even ascertaining the correctness of the averments made in the petition, I deem it appropriate to dispose of the present writ petition with a direction to respondent No.1/competent authority to consider the claim and grievance of the petitioner and to take a final decision on the legal notice dated 15.03.2014 at Annexure P-12 strictly in accordance with law and by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Dispose of.

16.02.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**