

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP No.6798-2015

Date of Decision:18.09.2015

JASWINDER KAUR

....Petitioner

VERSUS

STATE OF PUNJAB & ORS.

....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sunny Singla, Advocate,
for the petitioner.

Mr. Anshul Gupta, AAG, Punjab.

P.B BAJANTHRI, J. (Oral)

Written reply by way of affidavit of Dr. Vinod Kumar Beri, Civil Surgeon, Mansa (Punjab) on behalf of respondents No. 1 to 4 has been filed today in the Court and the same is taken on record.

In this petition the petitioner has prayed for grant for retiral benefits along with 18 % interest . The petitioner joined as Medical Officer on 10.02.1988 on ad hoc basis. Thereafter on 05.09.1988 her services were regularised in the cadre of Medical Officer. On 19.07.2013 she was promoted as Senior Medical Officer.

On 01.07.2014 the petitioner is stated to have issued a notice of voluntary retirement. The said notice was accepted and the petitioner was permitted to retired w.e.f. 30.09.2014 on 11.08.2014. During the

intervening period from 11.08.2014 to 30.09.2014 the petitioner submitted withdrawal of voluntary retirement notice on 26.09.2014. During pendency of the said withdrawal application petitioner was allowed to continue in service till 13.10.2014 and she was relieved on 13.10.2014. It is learnt that the petitioner submitted representation to the respondents to treat her retirement w.e.f. 13.10.2014, the date on which she was relieved from service. The petitioner's retiral benefits have not been settled timely, therefore the present writ petition has been filed.

In the reply filed on behalf of respondents No. 1 to 4, it is stated that retiral benefits from 13.03.2015 to 03.07.2015 has been paid. However leave encashment of 300 days amount is calculated as Rs.14,62,050/-. The said amount is yet to be released. However, the State counsel submitted that the matter is pending consideration and it will be disbursed within a short period.

In view of the reply statement, retiral benefits have been settled in partial except leave encashment for 300 days. The respondents are directed to disburse leave encashment amount of Rs.14,62,050/- within a period of four weeks. Petitioner is also entitled to interest on retiral benefits from January, 2015 to till payment is made on all the amounts @ 8 % per annum. The same shall be calculated and disbursed within eight weeks from

today.

Insofar as the leave encashment due of the petitioner is concerned, the concerned Treasury Officer is directed to disburse as stated above and interest @ 8 % per annum is to be calculated and disbursed within ten weeks from today.

The writ petition is, accordingly, disposed of.

18.09.2015

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**(P.B BAJANTHRI)
JUDGE**