

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

**CWP No.1932 of 2016
Decided on : 01.02.2016**

Nasib Kaur

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr.Gagneshwar Walia, Advocate, for the petitioner.

G.S. Sandhawalia , J. (Oral)

The petitioner, being a widow of Satnam Singh, who was serving as a Fire Officer in the Municipal Council, Khanna-respondent No.11, has prayed for release of service/retiral benefits, including Gratuity, Provident Fund, Leave Encashment, Ex-Gratia, Pension, Family Pension, Dearness Allowance, arrears, revision of pay-scales etc. along with interest for the delayed period.

It is the pleaded case of the petitioner that the petitioner's husband was due to retire on on 30.04.2013 and was given extension in service and thereafter, during the period of his second extension, unfortunately, he died on 04.10.2014 (Annexure P1). The retiral dues were not paid on account of the fact that he had rendered his services in 6 different Municipal Councils, between 09.02.1976 to 04.10.2014 and a representation had also been filed on 05.10.2015 (Annexure P2), in this regard. Counsel for the petitioner has pointed out that as per the sanction order dated 17.12.2014 (Annexure P3), the amounts due have also been calculated in favour of the petitioner and the service book has been verified but the payments are still due, though a period of more than one year has passed since then also.

Counsel for the petitioner submits that the petitioner would be satisfied if a time-bound direction is given for the redressal of her grievances.

Notice of motion.

Mr.R.S.Sidhu, AAG, Punjab accepts notice on behalf of respondents No.1 to 5. Copy of the paperbook has been supplied to him.

Keeping in view the limited relief sought and the fact that the petitioner is entitled, as per law, regarding the retiral dues along with interest, if there is inordinate delay, in view of the Full Bench judgment of this Court in **A.S.Randhawa Vs. State of Punjab & others 1997 (3) SCT 468**, this Court does not feel it necessary to ask the respondents to file reply.

Accordingly, the present writ petition is disposed of, with a direction to respondents No.2 & 3, to ensure that the retiral dues of the petitioner are paid by respondent No.11, within a period of 2 months from the receipt of a certified copy of this order. The said respondent shall also take into consideration the issue of delay in the release of the retiral benefits and its liability to pay interest, as per the judgment of the Full Bench in the case of **A.S.Randhawa** (supra). In case there is no legal impediment, the retiral dues along with interest be disbursed, one month thereafter. In case the amount is to be denied, a speaking order be passed and the same be conveyed to the petitioner.

FEBRUARY 01, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE