

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

CWP No. 4233 of 2016
Date of decision: 03.03.2016

Dr. (Mrs.) Satinder Kaur

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Sameer Sachdeva, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks the release of the balance of the retiral dues pertaining to leave encashment and CPF @ 10% on full salary from due date alongwith interest @18% which is being withheld by respondents no. 4 and 5.

The pleaded case of the petitioner is that she retired as an Associate Professor from the said respondents from 28.02.2013. Part payment of retiral dues like gratuity and partial CPF by calculating it at 10% of the basic pay at the time of retirement was paid. However, the benefit of leave encashment of 300 days and the benefit of CPF @10% of the total salary was not paid.

Counsel submits that a legal notice dated 18.10.2015 (Annexure P-6) has already been served upon the said respondents and copies have also been sent to the official respondents. Counsel further submits that he would be satisfied if the same is decided within a time bound frame.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of respondent nos. 1 and 2. Copy of the writ petition has been supplied to him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need to call upon respondents no. 3 to 5 to file reply.

Accordingly, without commenting on the merits of the case and the entitlement as claimed, the writ petition is disposed of with a direction to respondent no. 2 to ensure that respondents no. 3 to 5 shall take action on the legal notice dated 18.10.2015 (Annexure P-6) within a period of 3 months from the date of receipt of certified copy of the order. If the amounts are found to be due and there is no legal impediment, the same shall be paid to the petitioner within a period of 1 month thereafter. Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

03.03.2016
shivani

(G.S. SANDHAWALIA)
JUDGE