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

237(5)

**Civil Writ Petition No.1104 of 2017
Date of Decision: October 06, 2017**

Jaiwanti

...Petitioner

versus

The State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: None for the petitioner.

Mr. Shireesh Gupta, Sr. DAG, Punjab.

Mr. Vikram Satpal, Advocate for
Mr. R.S. Parmar, Advocate
for respondent No.4.

AJAY KUMAR MITTAL, J. (Oral)

In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing the respondents to pay/release the retiral/monetary and other benefits i.e. DCRG, leave encashment, GPF etc. alongwith interest @ 18% p.a., to which she is entitled after the death of her husband.

2. In response to the notice having been issued, reply dated 27.09.2017 on behalf of Executive Officer, Municipal Council Kotkapura, District Faridkot-respondent No.4 has been filed in Court today, which is taken on record, subject to all just exceptions. It has been stated in the reply that all the retiral benefits along with interest have been released to the petitioner. The details of payments made have been given in Para Nos.3 and 4 of the reply which read thus:-

“3. That it is further submitted that the entire amount which is included in various categories has already been given to the petitioner. The details pertaining to the monetary/retiral benefits are as follows:

- a. Gratuity : Rs.5,98,093/-.*
- b. Leave Encashment: Rs.1,59,570/-.*
- c. Ex-gratia: Rs.1,00,000/-.*
- d. Interest: Rs.1,10,492/-*

Total: Rs.9,68,155

4. That the entire due amount is paid as explained in foregoing Para i.e. Para No.3. The details pertaining to the payment are as follows:

- a. Cheque No.15146 dated 15.06.2016 amount of Rs.1,00,000/-.*
- b. Cheque No.192500 dated 26.05.2017 amount*

of Rs.4,26,353/-

*c. Cheque No.132529 dated 20.06.2017 amount
of Rs.4,12,445/-*

*d. Cheque No.192553 dated 05.07.2017 amount
of Rs.29,356/-.*

Total: Rs.9,68,155/-”

3. In view of the above, it was stated by learned counsel for respondent No.4 that grievance of the petitioner has been redressed.

4. Accordingly, the writ petition has been rendered infructuous and the same is disposed of as such. However, liberty is granted to the petitioner to move an application for revival of the writ petition, in case something survives therein.

**(AJAY KUMAR MITTAL)
JUDGE**

October 06, 2017
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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No