

CWP No. 11963 of 2017

DECIDED ON: OCTOBER 24, 2017

PARKASH KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Padamkant Dwivedi, Advocate
for the petitioner.

Ms. Devaki Anand Sullar, AAG, Punjab.

Ms. Sunanda Rattan, Advocate
for respondents No.2 to 3.

Mr. Brijeshwar Singh Kanwar, Advocate
for respondents No.5 and 6.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to release the retiral dues including gratuity, leave encashment, CPF etc., along with interest @18% per annum to the petitioner forthwith with further direction to respondents to release the arrears of salary in the revised pay scale as per the recommendations made by 5th Pay Commission for the period January 01, 2006 to August 21, 2009 as well as 33% arrears of revised salary in terms of recommendations made by 4th Pay Commission alongwith benefits of ACP scales granted on completion of service of 8-16-24 years

2. At the very outset, it has been submitted by learned counsel for the petitioner that a legal notice dated October 10, 2016 (P-3) was served upon respondents No.2 and 3 but till date no action has been taken. He further submits that he feels satisfied in case a direction is issued to respondents No.2 and 3 to decide the legal notice within a time bound manner.

3. Accordingly, instant petition is disposed of with a direction to respondents No.2 and 3 to look into the grievances unfolded by the petitioner in the legal notice dated October 10, 2016 (P-3) and dispose the same, in accordance with law, especially in view of judgment passed by this Court in ***CWP No. 9497 of 2014, titled as Narinder Kaur vs. State of Punjab and others, decided on July 28, 2016***, within a period of three months from the date of receipt of certified copy of this order. In case respondents No.2 and 3, come to the conclusion that petitioner is entitled to the relief(s) claimed by him, to release the same, within next 45 days. However, the matter with regard to the grant of interest on the delayed payments shall also be considered in view of afore-said judgment. However, if the petitioner still feels aggrieved by any order of the afore-said authority, she shall be at liberty to approach this Court.

OCTOBER 24, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*