

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

Sr. No.112

Civil Writ Petition No.21313 of 2017
DECIDED ON: September 19, 2017

RAJINDER KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Navjeet Singh, Advocate, for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ 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 arrears of retiral benefits such as pensionary benefits, leave encashment and gratuity according to revised pay scales in 14300-18150 from June 07, 1998 to June 06, 2005 and thereafter on the basis of revised pay scale of 15600-39100 w.e.f. January 01, 2006 to November 30, 2011 to the petitioner (wife of Late Sh. Jaswant Singh, A.D.O.) in view of order dated January 05, 2012 passed by this Court in CWP No.23138 of 2010 (P-5) and further issuance of writ in the nature of certiorari for quashing the second para to the extent that an amount of Rs.4530/- is to be paid after June 06, 2005 as pensionary benefits written in letter dated May 02, 2017 to the respondent No.6 by the respondent No.5 (P-6) which is against the principles of natural justice whereas arrears of retiral benefits are to be fixed on the basis of revised pay scale 15600-39100 fixed w.e.f. January 01, 2006 to November 30, 2011.

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2. Learned counsel for the petitioner contends that though a representation was made to the respondent No.3 on May 28, 2017 (P-7) but till date neither any reply to the said representation has been received nor any final order has been passed by the concerned Department.

3. Learned counsel for the petitioner further submits that she feels satisfied in case a direction is issued to respondent No.3 to decide her representation dated May 28, 2017 (P-7) within some specified period.

4. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents No.3-The Director, Department of Agriculture, Kheti Bhawan, near Dara Studio, Phase VI, S.A.S. Nagar, Mohali to look into the grievances unfolded by the petitioner in her representation dated May 28, 2017 (P-7) and to take a conscious decision by passing a speaking order as per rules and instructions issued by the Government of Punjab from time to time as well as judgment passed by this Court in case ***Dr. Naresh Kumar Kataria and ors. vs. State of Punjab and ors.***, CWP No.23138 of 2010 (O&M) decided on January 05, 2012 within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to approach this Court.

September 19, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**