

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

Sr. No.115

Civil Writ Petition No.21357 of 2017
DECIDED ON: September 19, 2017

SATYA

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sanjeet Singh Taank, 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 retiral benefits including pensionary benefits, commuted pension, gratuity, leave encashment, provident fund under the revised pay scales, arrears on account of revision of pay scale w.e.f. January 01, 2006 under Fifth Punjab Pay Commission and other admissible benefits in the revised pay scales along with interest @ 18% per annum thereon with regard to service rendered by the petitioner in the Municipal Council, Batala.

2. Learned counsel for the petitioner contends that though a representation was made to the respondents on June 14, 2017 (P-2) but till date neither any reply to the said representation has been received nor any final order has been passed by the respondents.

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3. Learned counsel for the petitioner further submits that she feels satisfied in case a direction is issued to respondents No.1 & 2 to decide her representation dated June 14, 2017 (P-2) in a time bound manner.

4. Instant petition is disposed of with a direction to respondents No.1-Secretary, Local Govt., Punjab Civil Secretariat, Chandigarh and No.2-The Director, Local Govt., Punjab, Punjab Municipal Bhawan, Plot No.3, Dakshin Marg, Sector 35-A, Chandigarh to look into the grievances unfolded by the petitioner in her representation dated June 14, 2017 (P-2) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representation within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next 45 days. Factum of interest in view of judgment passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017, be also considered on delayed payment(s).

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**