

CWP No. 26861 of 2014

DECIDED ON: OCTOBER 06, 2017

VEENA KUMARI

.....PETITIONER

VERSUS

STATE OF PUNJAB ETC.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Deepika, Advocate for
Mr. Ranjivan Singh, Advocate
for the petitioner.

Mr. Manoj Bajaj, Addl. AG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of certiorari to quash order No. 11/147-14 ME(1), dated November 11, 2014 (P-16) issued by respondent No.2 to the extent that it restrict the release of fiscal/monetary benefits as elaborated in para 17 of the writ petition till April 30, 1999 and further appointing a retired Additional Sessions Judge to enquire into be absence period (May 01, 1999 to December 01, 2005) of the petitioner as well as for issuance of a writ in the nature of mandamus directing the respondents to disburse/release the retiral dues accrued to the petitioner including GPF under the provisions of Punjab Civil Services Rules along-with interest in the light of judgment passed by Full Bench of this Court in **R.S. Randhawa's case**

(reported as 1997 Volume 3, RCJ, 368).

2. Undoubtedly, the afore-said order No. 11/147-14 ME(1), dated November 11, 2014 (P-16) issued by respondent No.2 has been set aside and the penalty imposed by the respondents has been diluted to compulsory retirement vide order dated July 07, 2017, which has been conveyed to the concerned official/officer vide endorsement dated July 19, 2017, while disposing of the departmental appeal.

3. In view of afore-said order dated July 07, 2017, which was conveyed to the petitioner vide endorsement dated July 19, 2017, instant petition has rendered infructuous and is dismissed as such.

4. However, it has also emerged during the course of arguments that requisite papers have already been furnished by the petitioner with the department for the release of all retiral benefits accrued to him. Thus, respondents are directed to release the necessary benefits accrued to the petitioner on account of order dated July 07, 2017 within a period of three months. The matter with regard to grant of interest on delayed payment shall also be considered in view of observations made by Full Bench of this Court in case captioned as “A.S. Randhawa vs. State of Punjab and others; 1997 (3) SCT 468 as well as observations made by this Court in CWP No. 8772 of 2015 titled as Charan Dass vs. State of Punjab & others; decided on July 11, 2017. However, if petitioner still feels aggrieved by any order of the afore-said authority, she shall be at liberty to approach this Court.

OCTOBER 06, 2017
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No