

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

**CWP No.22690 of 2017
DECIDED ON: OCTOBER 04, 2017**

PARKASH KAUR

.....PETITIONER.

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS.

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.S. Khurana, Advocate,
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to grant revised pay scale as per Punjab Civil Services (Revised Pay) Rules, 2009 to the petitioner as admissible to the post of Supervisor w.e.f. 06.11.2009 along with all consequential benefits including the arrears of pay, fixation of pension and pensionary benefits and interest thereupon etc.

2. The contention of learned counsel for the petitioner is that though the petitioner stood retired on 28.02.2017 on attaining the age of superannuation but till date no retiral benefits have been released to her. He further submits that petitioner feels satisfied in case direction is issued to respondent No.2 to decide

the legal notice dated 22.07.2017 (Annexure P-7) within a stipulated period.

3. Keeping in view the aforesaid aspects but without expressing any opinion on the merits, instant petition is disposed of with a direction to respondent No.2-Director, Department of Social Security and Women & Child Development, Chandigarh to consider the claim of the petitioner ventilated in her legal notice dated 22.07.2017 (Annexure P-7) and to take a conscious decision, within a period of two months from the date of receipt of certified copy of this order. In case, the concerned authority comes to the conclusion that petitioner is entitled to the benefits claimed through aforesaid legal notice, to release/disburse the same within a period of next one month. The factum of grant of interest be also considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*** and in view of CWP No.22242 of 2017, captioned as ***“Ramesh Kumar v. State of Punjab and others”***, decided on 28.09.2017 as well as notification No.1/15/90-IFPIII/4226, dated 10.05.1990, issued by Govt. of Punjab, Department of Finance (Finance Personnel III Branch).

4. However, if the petitioner still feels aggrieved of the order passed by the concerned authority, she shall be at liberty to approach this Court.

OCTOBER 04, 2017,
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***