

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 24338 OF 2017
DECIDED ON: OCTOBER 27, 2017

SUNITA KUMARI

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sameer Sachdeva, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

Notice of motion.

2. At the asking of the Court, Mr. Manoj Bajaj, Additional Advocate General, Punjab has accepted notice on behalf of the respondent-State. Copy of the paper book be supplied to learned State counsel during the course of the day.

3. By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ, order or direction most appropriately in the nature of mandamus directing the respondents to release the sanctioned payment of ₹6,87,376/- as gratuity, ₹3,59,793/- as leave encashment and GIS amounting to ₹30,000/- along with interest @ 18% per annum.

4. The contention of learned counsel for the petitioner is that the petitioner stood retired on 30.11.2016 on attaining the age of superannuation as

Head Teacher and prior to the date of her retirement i.e. on 18.11.2016, the sanction was already granted for the disbursement thereof, but despite the fact, payment on account of gratuity, leave encashment as well as GIS has not been made to the petitioner.

5. Taking into consideration the aforesaid aspects of the case, the instant petition is disposed of with the direction to the respondents to make the payment of the amount, which has already been sanctioned, within a period of two months from the date of receipt of certified copy of this order. The petitioner shall also be entitled to interest @ 9% on delayed payment of retiral benefits, from the date of sanction till its realization.

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

OCTOBER 27, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*