

**CWP No. 24986 of 2017**

**DECIDED ON: NOVEMBER 15, 2017**

**KAMLA CHOUDHARY**

**.....PETITIONER**

**VERSUS**

**STATE OF HARYANA AND ORS.**

**.....RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE JASPAL SINGH**

Present: Mr. Sandeep Goyat, Advocate  
for the petitioner.

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By virtue of instant 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 disburse the retiral benefits including DCRG, commutation of pension, leave encashment etc. along-with interest @12% per annum.

2. The contention of learned counsel for the petitioner that petitioner stood retired on attaining the age of superannuation on November 30, 2014, as District Excise & Taxation Commissioner, Hissar. The retiral benefits were not released to the petitioner. However, charge sheet was issued to the petitioner after her retirement. If at all any recovery is to be effected from the petitioner that can be effected from her retiral benefits.

3. Instant petition is disposed of with a direction to respondent No.1 to finalize the proceedings with regard to charge-sheet dated August 11, 2015 within a period of four months positively and then case of the petitioner be considered for grant of retiral benefits. In case, petitioner deserves the retiral benefits, same be released within next 45 days. At the time of grant of retiral benefits, grant of interest shall also be considered on the delayed payments of retiral benefits, in view of judgment rendered by Full Bench of this Court in the case of **A.S. Randhawa vs. State of Punjab & others; 1997 (3) SCT 468.**

4. However, if petitioner still feels aggrieved of the orders passed by the Department, he shall be at liberty to approach this Court.

NOVEMBER 15, 2017  
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(JASPAL SINGH)  
JUDGE

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |