

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 26164 OF 2017
DECIDED ON: NOVEMBER 16, 2017

BIMLA DEVI

....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. B.S. Mittal, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus, directing the respondents to release provident fund, gratuity, leave-encashment, arrears of dearness allowance and other due retiral benefits with interest @ 12% per annum.

2. It has been contended by learned counsel for the petitioner that neither any disciplinary inquiry nor any other matter is pending against the petitioner, who retired from service on attaining the age of superannuation but despite the fact, the retiral benefits has not so far been released to her. Even, legal notice dated 09.10.2017 (Annexure P-1) was duly served upon the respondents but it did not fetch any reply nor benefits have been released to the petitioner. He submits that petitioner feels satisfied in case direction is issued to

respondents to consider the aforesaid legal notice, within a stipulated period.

3. Without expressing any opinion on the merits of the case and considering the aforesaid aspects, the instant petition is disposed of with a direction to respondents No.2 and 3 to consider the case unfolded by the petitioner in her legal notice dated 09.10.2017 (Annexure P-1) and make the payment within a period of 45 days from the date of receipt of certified copy of this order. The grant of interest on delayed payment after the expiry of three months period from the date of retirement till its actual payment shall also be considered.

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

NOVEMBER 16, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes***

Whether reportable ***Yes/No***