

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

Sr. No.111

Civil Writ Petition No.26583 of 2017
DECIDED ON: November 22, 2017

ANARO DEVI

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Vikas Garg, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ especially in the nature of Mandamus directing the respondents to pay/release the pension, GPF, Leave Encashment, Gratuity etc. and all other retiral benefits along with interest @ 18% per annum.

2. The contention of learned counsel for the petitioner is that no disciplinary inquiry or any other matter is pending against the petitioner either at the time of retirement of the petitioner or at present. Petitioner was appointed as Safai Sewak in Municipal Council, Kotkapura on February 28, 1985 and retired on March 31, 2016 on attaining the age of superannuation. At the time of retirement, petitioner was entitled to receive retiral benefits. But she did not receive anything out of her retiral benefits at the time of her retirement.

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3. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on October 04, 2017 (P-1) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents. Learned counsel for the petitioner further submits that she feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice in a time bound manner.

4. Instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in her legal notice dated October 04, 2017 (P-1) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next 45 days. Factum of interest in view of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017, shall also be considered on delayed payment(s).

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to approach this Court.

November 22, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**