

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

Sr. No.112

Civil Writ Petition No.26949 of 2017
DECIDED ON: November 28, 2017

SUKHJEET KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. R.K. Arora, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ 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 release the sanctioned amount of gratuity and leave encashment to the petitioner along with interest @ 18% per annum and also release the interest on the delayed payment of GPF.

2. The contention of learned counsel for the petitioner is that the payment of gratuity as well as leave encashment has already been sanctioned vide order dated February 15, 2017 but till date same has not been paid to the petitioner.

3. Learned counsel for the petitioner contends that though a representation was made to respondent No.3 on September 27, 2017 (P-2)

Civil Writ Petition No.26949 of 2017

but till date neither any reply to the said representation has been received nor any final order has been passed by the concerned authority.

4. Learned counsel for the petitioner further submits that she feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid representation in a time bound manner.

5. Instant petition is disposed of with a direction to respondent No.2-The Director of Public Instructions (EE), PSEB Building, Vidya Bhawan, Phase VIII, SAS Nagar, Mohali (Punjab) to look into the grievances unfolded by the petitioner in her representation dated September 27, 2017 (P-2) and to take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid representation within a period of two 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, be also considered on delayed payment(s).

6. 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 28, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**