

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-12351-2016 (O&M)
Date of Decision: 08.05.2018

Urmila Rais

--Petitioner

Versus

Indian Red Cross Society & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE AJAY KUMAR MITTAL,
ACTING CHIEF JUSTICE
HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Rajesh Arora, Advocate for the petitioner.

Mr. Deepak Balyan, Addl. A.G., Haryana for
respondent no.1.

Ms. Nupur Chaudhary, Advocate for
respondents no.2 and 3.

TEJINDER SINGH DHINDSA.J (Oral)

1. Challenge in the instant petition filed under Articles 226/227 of the Constitution of India is to the order dated 2.3.2016 (Annexure P-17) passed by the Deputy Commissioner-cum-President, District Red Cross Society, Gurgaon and in terms of which the petitioner, who was serving as Warden, Working Women Hostel, Gurgaon, has been compulsorily retired from service.

2. Petition had come up for preliminary hearing before this Court on 7.6.2016 and while issuing notice of motion, operation of the impugned order was stayed.

3. Learned counsel representing the respondent authorities submits that by virtue of the interim directions issued by this Court the petitioner continued to serve on the post of Warden till 30.4.2018 i.e. the date when she attained the age of superannuation i.e. 58 years.

4. Counsel further apprises the Court that the matter for releasing to the petitioner the admissible retiral benefits by taking her service tenure up to the normal age of superannuation of 58 years is under process and would be finalized shortly.

5. In the light of such stand taken on behalf of the respondent authorities, we need not examine the validity of the impugned order of compulsory retirement.

6. Writ petition is disposed of with a direction to the respondent authorities to finalize the claim of the petitioner for release of her retiral benefits by taking into reckoning her service rendered upto 30.4.2018 i.e. the normal age of superannuation expeditiously and in any case within a period of three months from the date of receipt of a certified copy of this order.

7. Needless to observe that it would always be open for the petitioner to take recourse to her remedy in accordance with law in the eventuality of any order being passed which may be detrimental to her interest.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

08.05.2018

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No