

**CWP No. 12264 of 2018
DECIDED ON: MAY 15, 2018**

SURAKSHA SAINI

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rajeev Dev Sharma, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to release her all the retiral benefits such as Leave Encashment, gratuity and GPF as well as arrears thereof, alongwith interest on the delayed payment of various retiral benefits.

2. Learned counsel for the petitioner has submitted that petitioner stood retired on attaining the age of superannuation on 31.12.2017. Though, the pension has since been released/disbursed to the petitioner yet other retiral dues i.e. Leave Encashment, Gratuity and GPF have not so far been released to her. He further submits that neither any departmental inquiry nor any judicial proceeding is/was pending against the petitioner. Even, petitioner moved representation dated 01.03.2018 (P-2) but till date neither any response to

representation has been received nor any conscious decision has been taken. He further submits that petitioner feels satisfied in case a direction is issued to respondents to consider and decide the afore-said representation (P-2) within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to look into the grievances unfolded by the petitioner in her representation dated 01.03.2018 (P-2) and to decide the same in accordance with law, within a period of two months from the date of receipt of certified copy of this order. If there is no impediment in granting the remaining retiral benefits, to release the same within a period of next 30 days.

4. However, respondents are also directed to consider the case of the petitioner for the grant of interest in view of judgment passed by Full Bench of this Court in the case of *“A.S Randhawa v. State of Punjab and others; 1997 (3) SCT 468* as well as Punjab Govt. Instructions No.1/15/90IFPIII/4226, dated 10.05.1990.

5. However, if petitioner still feels aggrieved by any order of the aforesaid authority, she shall be at liberty to have recourse to other remedies available to her under law as well as to approach this Court.

MAY 15, 2018
sham

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*