

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

**CWP No. 12761 of 2018
DECIDED ON: MAY 21, 2018**

DAVINDER KAUR

.....PETITIONER

VERSUS

PUNJAB STATE POWER CORP LTD & ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashwani Talwar, 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 all the retiral benefits such as pension, DCRG, Leave Encashment, commuted pension and GPF to her, alongwith interest @18% per annum 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 31.08.2017 but till date nothing has been paid to her. He further submits that neither any departmental inquiry nor any judicial proceeding is/was pending against the petitioner either at the time of her retirement or at present. Petitioner constrained to serve legal

notice dated 31.03.2018 (P-6) but till date neither any reply to the said notice 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 legal notice (P-6) 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 legal notice dated 31.03.2018 (P-6) 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 retiral benefits, to calculate and release the same within a period of next 45 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 21, 2018
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(JASPAL SINGH)
JUDGE

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