

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.25243 OF 2014
DECIDED ON: FEBRUARY 28, 2018

MALA RANI

.....PETITIONER

VERSUS

THE PUNJAB STATE CIVIL SUPPLIES CORP.RESPONDENTS
AND ANOTHER

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Jagdeep Bains, Advocate,
for the petitioner.

Mr. Nitin Kaushal, Advocate,
for the respondents.

JASPAL SINGH, J (Oral)

Petitioner has preferred the instant petition under Article 226/227 of the Constitution of India, seeking issuance of direction to the respondent-PUNSUP to make the payment of retiral dues payable to petitioner along with other arrears as well as interest with regard to her deceased husband.

2. Learned counsel for the respondents has filed affidavit dated 05.04.2017 of Mr. Anant Sharma, Manager (Legal Arbitration), Punjab State Civil Supplies Corporation Ltd., (PUNSUP) in court today and same is taken on record. The contents of paragraphs No.3 and 4 of affidavit are relevant for the disposal of instant petition, which are reproduced as under:-

“3. *That the petitioner has filed certain wrong*

claims. It is submitted that the correct calculation under various heads is as under:-

<i>Sr. No.</i>	<i>Detail</i>	<i>Amount(rs.)</i>
1	<i>Gratuity</i>	<i>Rs.3,31,269/-</i>
2	<i>Leave encashment</i>	<i>Rs.1,91,400/-</i>
3	<i>Arrears of revised scale w.e.f. 01.01.2006</i>	<i>Rs.20,206/-</i>
4	<i>Group insurance</i>	<i>N.A. as Narinder Kumar did not avail of the said facility</i>
5	<i>Security</i>	<i>N.A.</i>
6	<i>Arrears of ACP Scheme (8-16-24)</i>	<i>N.A.</i>

4. That out of the total amount pertaining to Gratuity, leave encashment and arrears of revised scale i.e. Rs.5,42,875/- the petitioner had already been paid an amount of Rs.3,50,231/- after deducting Rs.1,72,438/- (Rs.56916/- on account of recovery as per orders of chargesheet+Rs,1,15,522/- on account of interest on above recovery amount) due pursuant to charge-sheet dated 11.03.2005 and punishment order dated 09.09.2011. It is submitted that the remaining amount of Rs.20,206/- is still payable to the petitioner.”

3. A perusal of aforesaid paragraphs transpires that all the amounts have already been paid except Rs.20,206/- as arrears of the revised scale w.e.f. 01.01.2006 but subsequently perusal of receipt dated 24.04.2017 issued by the petitioner makes it crystal clear that the said amount of Rs.20,206/- has already been received by the petitioner by way of Cheque No.394330, dated 28.03.2017.

4. In view of the facts and circumstances narrated above, the instant petition qua releasing of retiral benefits is dismissed as having been rendered infructuous. As far as the relief qua grant of interest on delayed payment is

concerned, respondents is directed to calculate and make the interest @ 9% per annum on the delayed payments, after expiry of three months from the date of exoneration till payment of various amounts/arrears, within a period of three months from the date of receipt of a certified copy of this order.

5. However, in case, the petitioner still feels aggrieved in respect of the deduction of amount amounting to Rs.1,72,438/- as well as with regard to calculation of the amount of arrears, she shall be at liberty to have recourse to the other remedies as well as to approach this Court.

FEBRUARY 28, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>