

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20725 OF 2018
DECIDED ON: AUGUST 20, 2018

MAMO DEVI

.....PETITIONER..

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Amit Kumar Jain, Advocate,
for the petitioner.

JASPAL SINGH, J

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 respondent to consider the claim and to decide legal notice dated 19.02.2018 (P-4) as well as to count the part time service rendered by her from the date of joining till the date of her regularization in the year 2012 as qualifying service. And further to release all the retiral benefits along with interest on delayed payment.

2. At the very outset, learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent(s) to decide legal notice dated 19.02.2018 (P-4), within a stipulated period.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent(s) to look into the

grievances unfolded by the petitioner in her legal notice (P-4) and to deal with and dispose of the same, in accordance with law within a period of three months from the date of receipt of certified copy of this order. If the concerned authority comes to the conclusion that petitioner is entitled to the benefits claimed, to release the same within a period of next 45 days.

4. The claim with regard to interest on delayed payment of retiral benefits to the petitioner shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*** as well as ***Govt. of Haryana Instructions No.1/2(152)01-2FRII, dated 20.02.2002.***

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

AUGUST 20, 2018
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(JASPAL SINGH)
JUDGE

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