

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

**CWP No.2479 of 2018
DECIDED ON: FEBRUARY 05, 2018**

SHANTI DEVI

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harpal Singh, Advocate for
 Mr. Peeush Gagneja, Advocate
 for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226 and 227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to release the remaining amount of retiral benefits accrued to her such as gratuity, DA installments and arrears of revised pay scale w.e.f. 01.01.2006 and all other benefits, along-with interest on the delayed payment(s).

2. The contention of learned counsel for the petitioner is that the petitioner stood retired on attaining the age of superannuation on February 29, 2016. He further contended that though some of the retiral benefits have been released but not fully. Respondents have failed to disburse the entire amount of gratuity as well as arrears of revised pay scale w.e.f. 01.01.2006. Even, the installments with regard to DA have also not been released to the petitioner till

date. Petitioner constrained to serve a legal notice dated December 13, 2017 (P-2) upon the respondents, which also did not fetch any reply. He further submits that he feels satisfied in case a direction is issued to respondent No.4 to consider and decide the afore-said legal notice (P-2) within a time bound manner.

3. In view of afore-said facts and circumstances, instant petition is disposed of with a direction to respondent No.4 to look into the grievances unfolded by the petitioner in the legal notice (P-2) and to decide the same in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order. In case the authority comes to the conclusion that petitioner is not entitled to the relief so claimed through the legal notice, to pass a speaking order and in that event, petitioner shall be at liberty to have recourse to the other remedies available to her under law.

FEBRUARY 05, 2018
sham

(JASPAL SINGH)
JUDGE

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