

**CWP No. 5453 of 2018
DECIDED ON: MARCH 07, 2018**

SAROJ KUMARI

.....PETITIONER

VERSUS

STATE OF HARYANA & OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sangita Dhanda, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought for the issuance of a writ in the nature mandamus directing the respondents to pay all pensionary benefits like pension, gratuity, leave encashment, GIS etc. along-with all consequential benefits with further direction to decide the legal notice dated November 02, 2017 (P-5) within a stipulated period.

2. The contention of learned counsel for the petitioner is that petitioner stood retired on April 30, 2016 on attaining the age of superannuation but till date none of the retiral benefits have been disbursed to the petitioner. Even, service of legal notice dated November 02, 2017 (P-5) did not fetch any response. She further submits that she feels satisfied in case a direction is issued to respondents No.2 and 3 to consider and decide the legal notice (P-5)

within a time bound manner.

3. In view of the afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondents No.2 and 3 to look into the grievances unfolded by the petitioner in the legal notice (P-5) 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 respondents No.2 and 3 came to the conclusion that petitioner is entitled to the relief(s) claimed through her legal notice, to calculate and disbursed the same to her with next 45 days.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as Instructions No.1/2(152) 01-2 FR II, dated February 20, 2002 issued by the Government of Haryana.

5. However, if the petitioner still feels aggrieved, she shall be at liberty to have recourse to the remedies available under law including to approach this Court.

MARCH 07, 2018
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(JASPAL SINGH)
JUDGE

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