

**CWP No.8283 of 2018
DECIDED ON: APRIL 04, 2018**

SUMAN LATA

.....PETITIONER

VERSUS

STATE OF HARYANA AND ANR.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Umesh Narang, Advocate
for the petitioner.

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to grant her interest @18% per annum on the delayed payments of retiral benefits WITH FURTHER direction to grant her the benefit of 2nd ACP scale w.e.f. 01.03.2014 under the Haryana Civil Services (ACP) Rules, 2008 with all consequential benefits i.e revision of pay, arrears of pay, revision of pension and all retiral benefits and arrears of pension along-with interest @ 18% per annum from the date it became due till its actual realization.

2. Learned counsel for the petitioner has contended that though all the retiral benefits have been released to the petitioner but after an inordinate delay for which no interest has been paid. He further submits that petitioner has also not been granted the benefit of 2nd ACP scale. Petitioner served legal notice dated 03.03.2017 (P-10) upon the respondents including representation dated

31.08.2017 (P-12) but till date neither any reply has been received from the authorities nor any conscious decision has been taken. He further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to consider and decide within some time bound manner.

3. As far as the relief claimed by the petitioner for the grant of interest on the delayed payment of various retiral benefits is concerned, respondent No.2 is directed to dealt with and disposed of the legal notice dated 03.03.2017 (P-10) as well as representation dated 31.08.2017 (P-12) in view of instructions issued by the State dated 20.02.2002 as well as in view of judgment passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* and also passed by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017. Similarly further direction is issued to respondent No.2 to consider the case of the petitioner for the grant of 2nd ACP scale in accordance with rules and regulations within a period of two months from the date of receipt of certified copy of this order.

4. However, in case petitioner feels aggrieved by either of the orders passed by the authority, she shall be at liberty to have recourse to other remedies available to her under law including to approach this Court.

5. Disposed of, accordingly.

APRIL 04, 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>