

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

(125)

CWP-31288-2018

Date of Decision: December 11, 2018

Smt. Amarjit Kaur

..Petitioner

Versus

The Punjab State Cooperative Supply and Marketing Federation Ltd.

..Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Shiv Kumar, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the petitioner is seeking the release of the retiral benefits (leave encashment), which according to the petitioner, is withheld without any valid justification.

Learned counsel for the petitioner states that her pensionary benefits (leave encashment) is being withheld only on the ground that vigilance investigation is pending against the petitioner. He further states that despite the fact that the petitioner retired on 30.11.2016, the respondents are not taking the vigilance investigation to its logical end and the same is being kept pending.

In reply to the legal notice submitted by the petitioner on 06.10.2017, the respondents vide letter dated 13.11.2017 informed the petitioner that the vigilance inquiry is still pending against the petitioner and therefore, the leave encashment could not be released.

Learned counsel for the petitioner states that even after the reply to the legal notice, a period of one year has elapsed but no action has been taken by the respondents to finalize the proceedings.

From the record, it transpires that the petitioner retired approximately two years ago and is waiting for the release of her pensionary benefits. The respondents cannot sit upon the vigilance investigation for ages.

In these circumstances, the respondents are directed to finalize the vigilance investigation, which is pending against the petitioner, within a period of six months from the receipt of copy of this order.

In case, after the vigilance inquiry is decided, and the petitioner is found entitled for any monetary benefits, the same should also be released to the petitioner within a period of next three months.

The writ petition stands disposed of, in above terms.

December 11, 2018
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No