

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

(125)

CWP-9358-2019

Date of Decision: April 08, 2019

Sukhdeep Kaur Mander

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sher Singh, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the claim of the petitioner is that though the petitioner was compulsorily retired by way of punishment w.e.f. 07.06.2018, but all her retiral benefits were not released immediately upon her retirement and there was an unjustified delay in releasing of the same and therefore, the petitioner is entitled for the interest on the said delayed payments.

Learned counsel for the petitioner states that though the GPF and the general insurance scheme amount were released to the petitioner within a period of three months, but the commuted value of pension, DCRG and leave encashment were released after a delay of six months.

Learned counsel for the petitioner states that there is no valid justification to withhold the pensionary benefits, therefore, as per the settled principle of law settled by the Full Bench of this Court in **A.S. Randhawa Vs. State of Punjab, 1997(3) S.C.T. 468,** the petitioner is entitled for the interest on the delayed release of the pensionary benefits.

Learned counsel for the petitioner further states that for the relief which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 28.11.2018 (Annexure P-2) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 28.11.2018 (Annexure P-2) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 28.11.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 28.11.2018 (Annexure P-2) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to her within three months thereafter.

April 08, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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