

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

111

CWP-13063-2019

Date of Decision : 17.05.2019

Manjinderjeet Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.Hari Chand, Advocate
for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which is being raised by the petitioner is that the petitioner had availed earned leave for self employment for a period of three years starting from 21.03.2012 to 28.02.2015. After availing the said leave, the petitioner did not return and joined the duty, due to which a charge-sheet was served upon her on 09.11.2015 (Annexure P-1). Though, she joined duties on 06.01.2017 but again absented on 11.02.2017 and did not join the duty thereafter. The petitioner submitted a request on 23.04.2018 (Annexure P-3) for the grant of voluntary retirement, which request, according to the petitioner, is still pending consideration with the respondents.

Counsel for the petitioner states that no order has been passed by the respondents on the disciplinary proceedings initiated against the petitioner vide charge-sheet dated 09.11.2015 and no order has been passed on the request made by the petitioner, for grant of voluntary retirement.

Counsel for the petitioner prays that petitioner's request for voluntary retirement should have been accepted in view of the provisions of the Punjab Civil Services (Premature Retirement) Rules 1975.

Counsel for the petitioner submits that for the relief which has been sought in the present, petitioner has served upon the respondent legal notice dated 28.09.2018 (Annexure P-6), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice 28.09.2018 (Annexure P-6) within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

May 17, 2019
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Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*