

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

(112)

CWP-16283-2019

Date of Decision: September 19, 2019

Kaushalya Devi

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Goyat, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner argues that when the husband of the petitioner retired from service on 29.02.2008, a charge-sheet dated 07.11.2007 was pending against him, due to which, gratuity was not released. He further states that the said charge-sheet was dropped by the respondents on 17.01.2018 and thereafter, the benefit of gratuity, commutation of pension and regular pension was released in favour of the petitioner as her husband had already died by the said date.

Learned counsel for the petitioner further argues that once the charge-sheet was dropped, keeping in view the instructions issued by the Government of Haryana dated 20.02.2002, petitioner becomes entitled for grant on interest for the delayed released of all the benefits, which were withheld on the basis of the charge-sheet, which was ultimately dropped.

Learned counsel for the petitioner prays that a direction be issued to the respondents to grant the petitioner benefit of interest on the payment of gratuity, commutation of pension and regular pension with effect from the date late husband of the petitioner retired i.e. 29.02.2008 till the release of the said benefits in the year 2018.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted a representation dated 10.01.2019 (Annexure P-2), 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 representation 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 representation dated 10.01.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 10.01.2019 (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 representation, the same should also be paid to her within three months thereafter.

(HARSIMRAN SINGH SETHI)
JUDGE

September 19, 2019
harsha

Whether speaking/reasoned: Yes
Whether reportable: No