

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

CWP-2248 of 2016

Date of decision: 03.07.2019

Darshana Devi

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. B.S. Pathania, Advocate
for the petitioner.

Mr. Vikas Mohan Gupta, Additional Advocate General,
Punjab.

HARSIMRAN SINGH SETHI, J.

In the present writ petition the claim of the petitioner is for refund of the amount which was deducted by the respondents after her retirement from her DCRG amounting to Rs.1,25,995/-.

Counsel for the respondent states that it was on the basis of admission and undertaking given by the petitioner herself on 18.12.2014 i.e. prior to her retirement to the effect that the amount be deducted from her DCRG and, therefore, the amount has been deducted after the undertaking was given by the petitioner. Counsel for the petitioner states that the said undertaking was forced upon the petitioner as the petitioner was on the verge of her retirement and had no option but to submit the same for release of her pensionary benefits. Counsel for the respondents argues that as there is a disputed question of facts which arose in the present writ petition and this Court is not the proper forum to decide this disputed question of facts.

Faced with this situation, counsel for the petitioner states that he be allowed to withdraw the present petition with liberty to avail her legal remedy

to assail the said undertaking dated 18.12.2014 before the appropriate forum for redressal of grievance of the petitioner.

Petitioner is allowed to withdraw the present petition with liberty as prayed for.

03.07.2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |