

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

CWP-2680 of 2017

Date of decision: 18.09.2019

Dr. Omvati

.... Petitioner

versus

State of Haryana and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sudesh Kumar Panday, Advocate for
Mr. Karan Nehra, Advocate for the petitioner.

Mr. C.S. Bakhshi, Addl. A.G, Haryana.

Mr. Tribhuvan Dahiya, Advocate
for respondents No.3 and 4.

HARSIMRAN SINGH SETHI, J.

In the present writ petition, the grievance which is being raised by the petitioner is that she retired from service on attaining the age of superannuation on 30.04.2010 but the respondents have not released her retiral benefits, such as, leave encashment and the fixed medical allowance.

Though, the reply has been filed by the State of Haryana but the contesting respondents are only respondents No.3 and 4. Learned counsel for respondents No.3 and 4 states that the benefit of leave encashment and fixed medical allowance has already been extended to the petitioner, therefore, the grievance of the petitioner stands redressed.

Learned counsel for the petitioner pleads ignorance about the said fact. He prays that in case the release of benefit, as prayed in the writ petition, has not been extended to the petitioner as being submitted by the

counsel for respondents No.3 and 4, petitioner be given liberty to revive the present writ petition. He further states that the petitioner was entitled for this benefit in the year 2010, which is being released to him in the year 2019 and, therefore, the petitioner is also entitled for interest on the said amount, thus, a liberty be also given to him to claim the same from the respondents by filing a representation.

Counsel for the respondents No.3 and 4 states that in case any such representation is filed by the petitioner claiming interest the same will be considered and disposed of by the respondents in accordance with law keeping in view the facts of the present case coupled with the settled principle of law within a period of three months from the date of receipt of the said representation.

In view of the above, counsel for the petitioner states that he does not intend to press the present writ petition any further.

Disposed of as having been not pressed, subject to liberty as prayed for.

(HARSIMRAN SINGH SETHI)
JUDGE

18.09.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |