

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.23173 of 2019

DATE OF DECISION:29.08.2019

Ushvinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr.Ajay Pal Jangu, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance which is being raised by the counsel for the petitioner is that though the petitioner was allowed voluntary retirement on 28.02.2019 but no pensionary benefit after the said voluntary retirement has been extended to the petitioner in respect of service, which she had rendered with the respondents as Ayurvedic Medical Officer.

Counsel for the petitioner argues that there are no disciplinary proceedings or any other proceedings pending before any competent Court, which would entitle the respondents to withhold the pensionary benefits. Therefore, non-release of the pensionary benefits, for which the petitioner is entitled to immediately upon her voluntary retirement on 28.02.2019, is contrary to the settled principles of law.

The prayer of the petitioner is for issuance of direction to

the respondents to release her pensionary benefits forthwith.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, petitioner has submitted the respondents with a representation dated 18.03.2019 (Annexure P-3) 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 representation dated 18.03.2019 (Annexure P-3) 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 18.03.2019 (Annexure P-3), the present writ petition is disposed of with a direction to the respondents to decide the representation dated 18.03.2019 (Annexure P-3) 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.

August 29, 2019

jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No