

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 33399 of 2019
Date of decision : 18.11.2019

Bimla Devi

....Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vikas Garg, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The claim of the petitioner in the present writ petition is that petitioner was initially appointed as a Clerk in Municipal Council, Kotkapura and thereafter, was promoted as a Junior Assistant from which post petitioner retired on 31.03.2019 on attaining the age of superannuation.

The grievance of the petitioner is that though, there is no impediment in the release of her pensionary benefits as there are no proceedings pending against her, which would entitle the respondents to withhold the pensionary benefits still, the pensionary benefits of the petitioner have not been released though six months have already elapsed after her retirement. Learned counsel argues that the reasonable period, which has been fixed by the Full Bench of this Court while deciding ***A.S.***

Randhawa Vs. State of Punjab and others, 1997(3) SCT 468, for releasing

the pensionary benefits is two months and, therefore, a direction needs to be issued to the Municipal Council, Kotkapura to release the pensionary benefits of the petitioner forthwith alongwith interest.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has submitted representations dated 09.05.2019, 25.06.2019 and 30.07.2019 (Annexure P-1) (Collectively) to the respondents, which are 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 representations.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, the respondent No. 4 is directed to decide the representations dated 09.05.2019, 25.06.2019 and 30.07.2019 (Annexure P-1) (Collectively) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Writ petition stands disposed of accordingly.

November 18, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*