

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

CWP No.35539 of 2019

Date of decision : December 13, 2019

Urmil Shukla

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Karan Singh Rana, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner submits that the petitioner was compulsorily retired by the respondents vide order dated 07.06.2017 w.e.f. 01.06.2017 but after the said retirement, the petitioner has not been released the benefits for which she is entitled for in respect of the service, which she had rendered with the respondents.

Learned counsel for the petitioner further submits that there is no impediment in the release of the pensionary benefits to the petitioner as there are no proceedings pending against her either before the department or any other competent Court of law to enable the respondents to withhold the pensionary benefits of the petitioner.

Learned counsel for the petitioner argues that though, the petitioner was retired w.e.f. 01.06.2017 but the GPF was released to the petitioner on 12.11.2018, which is after more than one year.

Learned counsel for the petitioner further argues that the other benefits, such as leave encashment, gratuity and pension are yet to be released by the respondents, which is being withheld without any valid

justification. Prayer of the petitioner is for issuance of a direction to respondent No.2 to release all the pensionary benefits to her forthwith alongwith interest.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has submitted a representation dated 05.05.2019 (though no date is mentioned in the representation) (Annexure P-5) to respondent No.2, which is still pending consideration with respondent No.2 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the same by passing an appropriate speaking order in accordance with law.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to decide the representation dated 05.05.2019 (Annexure P-5), 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.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

December 13, 2019

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No