

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

**CWP No.1720 of 2020 (O&M)
Date of decision : January 23, 2020**

Smt. Chandro

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. MJS Bedi, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that though the petitioner has already retired from service on attaining the age of superannuation on 31.05.2019 but all the retiral benefits for which the petitioner is entitled after her retirement in respect of the service, which she rendered with the respondent-Municipal Council, Rampura Phul, have not been released to her.

Learned counsel for the petitioner further states that out of the total amount to which the petitioner is entitled for, only a sum of Rs.5 lacs has been released and that too in installments.

Learned counsel for the petitioner further states that there is no impediment in the release of pensionary benefits as no proceedings either departmental or before any competent court of law are pending against the petitioner, which would entitle the respondents to withhold the pensionary benefits of the petitioner. Prayer of the petitioner is for issuance of a direction to the respondent-Municipal Council, Rampura Phul to release the pensionary benefits to the petitioner forthwith.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served a legal notice dated 09.12.2019 (Annexure P-2) upon the respondents, 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 respondent Nos.3 and 4 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 Nos.3 and 4 are directed to decide the legal notice dated 09.12.2019 (Annexure P-2), 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

January 23, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No