

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

1. CWP-10988-2014

Vanita KhannaPetitioner

Versus

State of Punjab and othersRespondents

2. CWP-15552-2012

Vanita KhannaPetitioner

Versus

State of Punjab and othersRespondents

Date of decision: - 13.02.2020

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rajbir Singh, Advocate
for the petitioner in CWP-10988-2014.

None for the petitioner in CWP-15552-2012.

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. R.S. Bhatia, Advocate
for respondent No.4-Bank.

HARSIMRAN SINGH SETHI, J. (ORAL)

By this order, two writ petitions, both filed by the same
petitioner, are being decided as the claim made in these writ petitions, are
inter-connected.

The claim of the petitioner in the present writ petitions is that the total recovery, which was effected from her amounting to ₹1,74,700/- has not been refunded to her and only ₹51,971/- has been paid. The prayer of the petitioner is for directing the respondents to refund the remaining amount i.e. ₹1,22,729/-. Further, prayer of the petitioner is that after attaining the age of 65 years, she was entitled for enhancement of her family pension by 5%, which benefit has not being extended to her. The prayer is a direction to respondents to grant the said benefit to the petitioner with effect from the due date.

Upon notice of motion, respondents filed the reply, in which they have controverted the claim of the petitioner. Respondents have stated in the reply that whatever amount for which the petitioner was entitled for, has already been released to her and no further amount is liable to be paid to her. With regard to the claim of enhancement of the family pension, respondents have stated that the same was a genuine claim and the same has already been processed and released to the petitioner.

The only dispute, which remains is, as to what amount the petitioner is entitled for as refund, which is being claimed in the present writ petitions. This Court is not in a position to ascertain the same as disputed question of facts are being raised in the present writ petitions.

Be that as it may, counsel for the petitioner states that petitioner has already submitted a detailed representation on 30.08.2012 (Annexure P-11) as well as the reminder dated 01.11.2012 (Annexure

P-12) with the respondents, which may be decided by the respondent-Bank by passing an appropriate speaking order.

Learned counsel for respondent No.4-Bank states that the appropriate order in respect of claim of the petitioner as made by her in representation dated 30.08.2012 (Annexure P-11) as well as reminder dated 01.11.2012 (Annexure P-12) will be passed by the respondent-Bank within a period of three months from the date of receipt of certified copy of this order, by giving the details as to what amount has been refunded to the petitioner and also as to how her entitlement of refund was computed and the amount was released.

Learned counsel for the petitioner states that keeping in view the statement made by learned counsel for respondent No.4-Bank, petitioner does not press these writ petitions any further and the same may be disposed of as having not pressed.

Ordered accordingly.

**(HARSIMRAN SINGH SETHI)
JUDGE**

February 13, 2020
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Whether reasoned/speaking?	Yes
Whether reportable?	No