

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114)

CWP no.15834 of 2020

Date of Decision: 30.09.2020

Sushma Kumari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Sanjay Verma, Advocate, for the petitioner.

Amol Rattan Singh, J. (Oral)

All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, filed under the provisions of Articles 226/227 of the Constitution of India, the petitioner seeks issuance of a writ in the nature of mandamus, directing respondents no.1 and 2 to release the retirement gratuity to her, along with interest on the delayed payment as per Rule 13 of Haryana Aided School (Special Pension and Contributory Provident Fund) Rules, 2001, with a further prayer made that respondents no.1 and 2 be directed to release the arrears of ACP, amounting to Rs.7,88,075/-, w.e.f. 01.01.1996 to 29.03.2012, along with interest to the petitioner.

In respect of non-release of her retirement benefits, as also arrears on account of non-payment of dues under the Assured Career Progression Scheme (ACP), and other grievances raised in the petition, the petitioner is stated to have got issued a legal notice to the respondents on 04.08.2020 (copy Annexure P-5).

Without making any comment on the actual merits of the case, this petition is disposed of with a direction to the competent authority amongst the respondents to take a decision on the aforesaid legal notice of the petitioner, within a period of three months from the date of receipt of a certified copy of this order, by passing a detailed speaking order.

If the dues, or any part thereof, are found to be payable to the petitioner, they shall be released to her within a period of three months thereafter, along with either statutory interest under any provision, or in the alternative, if there is no such statutory interest provided in any statute, interest @ 6% per annum from the date that the dues were due to her, till the date of payment thereof.

30.09.2020
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No