

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

CWP-3440-2021(O&M)

Date of decision:15.02.2021

Rani Devi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.B.S.Mittal, Advocate for the petitioner

ANIL KSHETARPAL, J.

Through this writ petition under Article 226 of the Constitution of India, the petitioner prays for the following substantive reliefs:-

“(a) issue a writ in the nature of Mandamus directing the respondents to release the retiral benefits like Provident Fund, Leave Encashment, Gratuity, arrears of DA and increments etc. with interest @ 12% per annum;

(b) issue of any other appropriate writ order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case and in the interest of justice.”

The petitioner claims that she has retired on 31.5.2020 after attaining the age of superannuation from the Municipal Council, Rampura Phul, District Bathinda. It is claimed that except for Rs.3,00,000/-, the remaining retiral dues have not been paid.

After arguing for some time, learned counsel for the petitioner submits that at this stage, he would be satisfied if the respondents are directed to consider the claim of the petitioner and pass

an appropriate order.

Keeping in view the aforesaid facts, it is considered appropriate to direct respondent no.3 to consider the claim of the petitioner and pass a speaking order thereon, within a period of two months. If the petitioner is found entitled to the retiral dues, the same shall be released to her within a period of two months thereafter. If the claim of the petitioner is to be rejected, she shall be granted an opportunity of hearing.

Disposed of.

15.02.2021

rekha

Whether speaking/reasoned

Whether Reportable

Yes /No

Yes / No

(ANIL KSHETARPAL)
JUDGE