

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

118

CWP-9861-2021

Decided on : 18.05.2021

Parveen

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. M.S. Rana, Advocate
for the petitioner.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks directions for release of the pension, gratuity and GIS alongwith interest @ 18%, which has not been released, even though there is no enquiry or departmental proceedings pending against the petitioner.

The petitioner has retired on 31.01.2020 on attaining the age of superannuation, after completion of extension of 2 years in service as Staff Nurse, as per Annexure P-1.

Notice of motion.

Ms. Ambika Bedi, AAG, Punjab accepts notice on behalf of the respondents. She points out on instructions from Mr. Suraj Kumar, Superintendent, E-6 Branch from the office of Director Health Services, Family Welfare, Punjab that necessary formalities as such have been completed and there is no legal impediment as such for the grant of such retiral benefits.

Counsel for the petitioner has submitted that legal notice dated 18.02.2021 (Annexure P-2) has already been served upon the respondents, in which it has been mentioned that payment of leave encashment and GPF has been made, which is also after a delay of 6 months 13 days, on which interest is also claimed.

Accordingly, keeping in view the above, the present writ petition is disposed of with the direction to respondent No.2 to ensure that the balance retiral benefits of the petitioner are released within a period of 2 months from the receipt of certified copy of this order. The petitioner shall also be entitled for the benefit of the interest @ 7% per annum from 01.04.2020 till the date of payment on the amounts already paid and the balance amount which have to be paid to her, keeping in view the law laid down by the Full Bench in '**A.S. Randhawa, Superintending Engineer (Retd.) Vs. State of Punjab**', 1997 (3) RSJ 318.

The writ petition stands disposed of.

May 18, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No