

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(135)

CWP-7404-2022

Date of Decision : April 07, 2022

Bimla @ Bimla Devi

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Peeush Gagneja, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that the petitioner retired as Safai Sewika from the Municipal Corporation Abohar, District Fazilka on 30.06.2021 but except the amount of Rs.5,70,000/- the other retrial benefits have not been released to the petitioner and that too without any valid justification. Learned counsel for the petitioner submits that keeping in view the settled principle of law as settled by the Full Bench of this Court in *A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468*, the pensionary benefits are to be released to the employee within a period of two months of the retirement, in case there is no impediment and as there is no impediment in the present case, the respondents are liable to be directed to release the pensionary benefits of the petitioner forthwith.

Learned counsel for the petitioner further submits that for the relief which has been claimed in the present writ petition, the petitioner has

already served a legal notice dated 04.03.2022 (Annexure P-2) upon the respondents which is still pending consideration and the petitioner will be satisfied at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

On asking of the Court, Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice dated 04.03.2022 (Annexure P-2) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 04.03.2022 (Annexure P-2), the present writ petition is disposed of with a direction to respondent No.3 to decide the legal notice dated 04.03.2022 (Annexure P-2) within a period of eight weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within four weeks thereafter.

April 07, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No