

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

**CWP-17578-2016 (O&M)
Date of Decision: 05.05.2022**

SURESH DEVI

..... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. S.K. Panwar, Advocate
for the petitioner.

Mr. Sandeep Singh Mann, Addl. AG, Haryana.

LISA GILL, J.

Petitioner, who was working on the post of Drawing Teacher, retired on 31.05.2015. She sought extension in service beyond 58 years claiming to be suffering from 70% permanent disability. She was ultimately afforded extension in service till the age of 60 on 01.06.2016 i.e. after one year of her retirement. However, her claim for pension from 30.05.2015 till 01.06.2016 has been denied on the ground that she was not entitled to any salary on the principle of “No Work No Pay”.

It was directed on 14.01.2020 that a detailed affidavit clarifying the position to be filed. However, no affidavit whatsoever has been filed.

Having heard learned counsel for the parties, in my considered opinion denial of pension to petitioner for the period from 30.05.2015 till 01.06.2016 is absolutely unjustified.

Learned counsel for the State is unable to point out any Rule, Regulation or Provision, which entitles the State to deny pension to petitioner for the said period as petitioner has admittedly served the Department till attaining the age of superannuation on 31.05.2015.

Admittedly, petitioner is in receipt of pension after completion of extension period afforded to her, therefore, entire paper work clearly stands completed. Keeping in view the facts and circumstances of the case, it is directed that pension due to petitioner from 30.05.2015 till 01.06.2016 be released to her within three weeks from receipt of certified copy of this order, failing which petitioner shall be entitled to interest @ 6% per annum till receipt of amount in question.

Writ petition is disposed of accordingly.

05.05.2022

Sunil

(LISA GILL)
JUDGE

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