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

CWP-27428-2015

Date of Decision: 20.04.2022

Mohinder Kaur (Deceased) Through her LR

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Neha Jain, Advocate, for
Mr. Krishan Singh Dadwal, Advocate,
for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present petition, the claim which is being raised by the petitioner is with regard to the payment of GPF amount, for which Mohinder Kaur became entitled for upon her superannuation on 30.11.1986, which amount is being withheld by the respondents without any valid justification.

Upon notice of motion, the respondents filed the reply, wherein it has been mentioned that the record with regard to the claim of the petitioner, is too old and even the record of the concerned time period had washed away during the heavy rains which took place in the year 1988. It is further mentioned that even otherwise, there is no record available with regard to the fact that Mohinder Kaur was not paid the GPF amount, as per her entitlement on the date of her superannuation, i.e. on 30.11.1986, especially when the retiree herself never raised any such grievance till the

time she was alive and now the present petition has been filed in the year 2015, after her death, by her legal representative.

Faced with this situation, learned counsel for the petitioner submits that as the averments made by the respondents, as recorded hereinbefore, lead to disputed questions of facts, therefore, she may kindly be permitted to withdraw the present petition at this stage with liberty to the petitioner to approach the Civil Court of law, in case the petitioner still wants to agitate the claim, as being raised in the present petition.

Ordered accordingly.

20.04.2022*Apurva***(HARSIMRAN SINGH SETHI)****JUDGE**

1. Whether speaking/reasoned : Yes
2. Whether reportable : No