

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

114

CWP No.22137 of 2022

Date of Decision: 12.10.2022

Bimla Devi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Lalit Goyal, Advocate, for the petitioner.

VIKAS SURI, J. (Oral)

The claim made in this petition under Article 226/227 of the Constitution of India is for seeking direction to the respondent to grant/release the complete retiral/pensionary service benefits and dues to the petitioner, including gratuity, dearness allowance, GPF/PF deposited by her, leave encashment, medical allowance etc. and arrears of increments and other arrears along with interest @ 18% per annum for delaying in payment of the above said retiral/service benefits.

At the outset, learned counsel appearing for the petitioner restricts his prayer for deciding the representation dated 07.09.2022 (Annexure P-2), and further submits that the present petition be also considered as a representation and the claim raised therein be decided accordingly.

He would submit that the petitioner would be satisfied, at this stage, if the aforesaid claim is decided by passing a speaking order in a time bound manner, in accordance with law.

Reliance has also been placed on the law settled by the Full Bench of this Court in *A.S. Randhawa vs. State of Punjab and others*, 1997

(3) SCT 468 (F.B.) and by a coordinate Bench in *CWP-8772-2015 titled Charan Dass vs. State of Punjab and others, decided on 11.07.2015.*

Keeping in view the nature of the order that is proposed to be passed, it would be appropriate to dispense with service of notice upon the respondents at this stage.

Without expressing any opinion or going into the merits of the case or the claim being made by the petitioner in the present petition or in the representation, respondent No.3/Competent Authority is directed to consider and decide the claim made in the representation dated 07.09.2022 (Annexure P-2) as well as in the present petition by treating it as a representation, in accordance with law, by passing a speaking order within a period of six weeks from the date of receipt of certified copy of this order.

Needless to observe that in case, after the decision, petitioner is found entitled for any benefits, the same be released to her within a period of four weeks thereafter, as per law.

The petition stands disposed of in the aforesaid terms.

(VIKAS SURJ)
JUDGE

October 12, 2022
vcgarg

Whether speaking/reasoned:	Yes
Whether reportable:	No