

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

(113) **CM-15620-CWP-2022 in/and
CWP-22687-2022 (O&M)
Date of Decision : September 29, 2022**

Manju Lata Chaudhary .. Petitioner

Versus

State of Haryana and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jitender Nara, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-15620-CWP-2022

As prayed for, the application is allowed.

CWP-22687-2022

Learned counsel for the petitioner argues that the petitioner retired on attaining the age of superannuation on 31.10.2017 but due to the pendency of a charge-sheet, the petitioner was not given the benefits and ultimately the said charge-sheet was dropped on 20.08.2018 but the petitioner has not been given the benefit of interest as the petitioner suffered prejudice due to the non-release of the pensionary benefits immediately upon her retirement, hence, the petitioner is entitled for the grant of interest on the delayed release of the pensionary benefits.

Learned counsel for the petitioner submits that for the

grievance which has been raised in the present petition, the petitioner has already approached the respondents by serving upon them a legal notice dated 23.02.2020 (Annexure P-6), which is still pending consideration with the respondents 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.

Mr. R.S. Budhwar, Addl. Advocate General, Haryana, 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 of the petitioner dated 23.02.2020 (Annexure P-6) 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 23.02.2020 (Annexure P-6), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 23.02.2020 (Annexure P-6) 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 the monetary benefits after the decision of the legal notice, the same should also be paid to the petitioner within four weeks thereafter.

September 29, 2022
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No