

114

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

CWP-7542-2023

Date of Decision: 17.04.2023

Rajwant Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Pawan Kumar Goklaney, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of *mandamus* for directing the respondents to release the pension and all the pensionary benefits along with interest @ 9% p.a.

Learned counsel for the petitioner has submitted that the petitioner had retired as Sewing Teacher from the respondent-Department on 31.03.2020 and till date the pension and pensionary benefits have not been paid to the petitioner and there is no impediment for non-disbursement of the same. He further submitted that repeatedly representations have been given by the petitioner to the respondents-Department in this regard but no action has been taken by the respondents. He also submitted that a latest representation has been filed by the petitioner for releasing the pension and pensionary benefits vide Annexure P-17 dated 05.01.2023, but neither any reply has been filed by the respondent-Department nor the same has been

considered and decided by the concerned authority. He further submitted that at this stage, the petitioner confines the scope of the present petition only to the extent that necessary direction may be issued to respondent No.3 to consider and decide the representation (Annexure P-17) filed by her in accordance with law and within a time bound manner.

Notice of motion.

Ms. Ambika Bedi, learned AAG, Punjab accepts notice on behalf of the respondents and has stated that she has no objection in case a direction is issued to respondent No.3 for considering and deciding the representation filed by the petitioner vide Annexure P-17 in accordance with law and within a time framework.

I have heard the learned counsel for the parties.

In view of the above and considering the limited prayer of the petitioner and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.3 to consider and decide the representation filed by the petitioner vide Annexure P-17 dated 05.01.2023 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

Needless to say that in case the petitioner is found to be entitled for any benefit as prayed by her, then the same shall be released to her along with interest @ 6% p.a. within a period of two months thereafter.

17.04.2023

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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