

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

CWP-24364-2014

Date of decision : 16.01.2023

Surinder Pal Kaur

..... Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

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

Mr. Charanpreet Singh, AAG, Punjab.

Mr. D.S. Sobti, Advocate
for respondents No.2 and 3.

PANKAJ JAIN, J. (Oral)

On 13.12.2022, the following order was passed:-

“CM-12303-CWP-2017

Prayer in this application is for placing on record the replication to the reply filed by respondents No.2 to 4 along with documents Annexures P-21 to P-24. The application is allowed.

The replication to the reply filed by respondents No.2 to 4 along with documents Annexures P-21 to P-24 is taken on record.

CWP-24364-2014

Learned counsel for the petitioner would contend that despite the order passed by this Court on 12.03.2019 to consider the claim of the petitioner sympathetically, the same has not been done by the respondents and order dated 30.04.2019 (Annexure R-7) has been passed, which again is stigmatic. He would submit that in fact the petitioner would be satisfied in case the order of dismissal is set aside and the request of the petitioner for voluntary retirement is accepted.

Learned counsel for respondents No.2 to 4 seeks time to get necessary instructions in the matter.

Adjourned to 16.01.2023.

Let a responsible person from the respondent- Dayanand Medical College and Hospital, Ludhiana be present in Court, on the next date of hearing.”

2. Today, Mr. Manjit Singh, DGM, HR has come present.
3. Mr. Sobti on instructions from the Officer of respondent No.2 submits that respondent No.2 is ready to consider the case of the petitioner for voluntary retirement from the date of the termination of the petitioner which is 13.10.2014.
4. Mr. Sidhu submits that the same be ordered to be done within time bound manner.
5. Mr. Sobti submits that the respondents undertake to do the same within a period of 04 weeks from today. He further submits that since all dues have already been paid to the petitioner, no order is required for release thereof.
6. Faced with the situation, Mr. Sidhu submits that though the petitioner was handed over the monitory benefits by way of demand draft, however pending dispute, the petitioner opted not to encash the same.
7. In view of aforesaid situation, petitioner shall return the demand draft(s) paid to him and the respondents shall return back the same to the petitioner re-validating the same within the aforesaid time period.
8. Disposed off in the aforesaid terms.

(PANKAJ JAIN)
JUDGE

16.01.2023

Dinesh

Whether speaking/reasoned :

Yes

Whether Reportable :

No