

107 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19961-2023

Date of decision: 22.09.2023

Jaswinder Kaur

.....Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. H.S. Dhindsa, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

This petition has been filed under Article 226/227 of the Constitution of India with a prayer for issuance of a writ in the nature of mandamus, directing the respondents to release updated gratuity, leave encashment and arrears of pay scales keeping in view the recommendations of 6th Pay Commission, as the petitioner has retired as Manager, Cooperative Bank/The Hoshiarpur Central Cooperative Bank, Branch Office, Mukerian, District Hoshiarpur on 30.04.2023 on attaining the age of superannuation along with interest @ 8% per annum from the date when the said arrears became due till the date of payment and with a further prayer for issuance of writ in the nature of certiorari, setting aside the rejection letter dated 24.05.2023 (Annexure P-7), vide which the claim of the petitioner for grant of gratuity, leave encashment and arrears of pay scales in view of the 6th Pay Commission etc., was kept pending/withheld on the ground of sham enquiry without serving any chargesheet to the petitioner, along with letters dated 15.06.2023 (Annexure P-8) and letter dated 22.06.2023 (Annexure P-9) issued by the District Manager, Cooperative Bank/The Hoshiarpur Central

Cooperative Bank Limited, Hoshiarpur-respondent No.3 as well as reply to legal notice dated 08.08.2023 (Annexure P-11).

Notice of motion.

At this stage, on the asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of respondent No.1 and Mr. Ashwani Prashar, Advocate has put in appearance in the Court, accepts notice on behalf of respondents No. 2 and 3.

Vide order dated 11.09.2023, learned counsel for the respondents no. 2 and 3 was directed to complete his instructions with regard to claim of the petitioner.

Today, learned counsel for the respondents No. 2 and 3 submits that the process has been initiated for releasing the entire benefits of the petitioner, who has retired from the bank and have placed on record the certificate dated 21.09.2023 issued by the Addl. Managing Director (Admin), the Punjab State Cooperative Bank Limited, Chandigarh affirming the aforesaid fact.

In view of the above, as the grievance of the petitioner has been redressed, therefore, the respondent-Bank is directed to release the retiral benefits of the petitioner within a period of 8 weeks from the date of receipt of certificate copy of this order.

The present petition is hereby disposed of accordingly.

(DEEPAK MANCHANDA)
JUDGE

22.09.2023
Sapna

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No