

CWP-20234-2023
Date of decision: 13.09.2023

Guddi Devi**Petitioner**

V/s

State of Punjab and others ...**Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. B.S. Mittal, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to release the retiral benefits i.e. Provident Fund, Gratuity, Leave Encashment, Dearness Allowance (DA) arrears of revised pay scale etc. along with interest @ 12% per annum.

Learned counsel for the petitioner contends that petitioner was working as Sweeper in Municipal Council, Maur, District Bathinda and retired from service on 30.04.2023 on attaining the age of superannuation. After retirement the retiral benefits due to the petitioner were not released despite repeated requests except Rs.2,50,000/- till date. He further submits that an amount of Rs.15,00,000/- is still pending towards retiral benefits of the petitioner. The petitioner has submitted a representation dated 07.08.2023 (Annexure P-1) to respondent-3 for payment of her retiral dues but the same has not been taken into

consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the legal notice in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents No. 1&2 and Mr. Sanjeev Soni, Advocate, who is also present in the Court, accepts notice on behalf of the respondent No.3 and they do not object to the prayer made by learned counsel for the petitioner.

After going through the contents of the representation, the representation seems to be vague, wherein no specific detail has been mentioned.

Faced with this, learned counsel for the petitioner submits that present writ petition be treated as representation and same be decided within a time bound manner by looking into the grievances of the petitioner.

Prayer is allowed and the present writ petition is disposed of without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.3 is directed to treat the present writ petition as a representation and decide the same, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioner is found to be entitled to the claim as mentioned in the present petition then, necessary disbursement of funds shall be made to her within a period of 8 weeks thereafter.

13.09.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No