

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

120

**CWP-20258-2023
Date of decision: 14.09.2023**

MAYA DEVI

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Lalit Chander Sharma, Advocate for
Mr. Surinder Garg, Advocate for the petitioner.

DEEPAK MANCHANDA. J.(Oral)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondents to release the remaining amount of Rs.6,18,594/- along with interest @ 18 per cent per annum being the arrears of gratuity and leave encashment.

Learned counsel for the petitioner submits that on 01.02.1994 petitioner was appointed as Safai Sewak and she retired on 30.09.2021 from the office of respondent No.3. Learned counsel for the petitioner submits that even after passing of 02 years since the retirement of the petitioner, the full retiral benefits, gratuity and leave encashment have not been paid to her. Learned counsel for the petitioner further submits that petitioner has sent several representations to the respondents regarding releasing his retiral due but till date remaining payment amounting to Rs.6,18,594/- has not been released to the petitioner. Learned counsel also submits that petitioner has served a legal notice

dated 10.06.2023 (Annexure P-2) to respondents, which 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 respondent No.1 and 2 and submits that respondent No.3 is the competent authority to decide the legal notice.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 10.06.2023 (Annexure P-2), respondent No.3 is directed to decide the legal notice, 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 mentioned in the abovesaid legal notice, necessary disbursement of funds shall be made to her within a period of 8 weeks thereafter.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

14.09.2023
Amandeep

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No