

CWP-21307 of 2024

2024-PHHC:112083



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

CWP-21307 of 2024

Date of decision: 30.08.2024

Chandro Devi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Kuljit Singh, Advocate, for the petitioner.
Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Present petition has been filed under Articles 226/227 of the Constitution of India praying for issuance of writ in the nature of *mandamus* directing the respondents to release the remaining amount of service-cum-retirement benefits of the petitioner such as provident fund, gratuity, leave encashment, medical allowances, revised pay scale, arrears of revised pay scale benefits of 01.01.2016 and all other benefits along with interest for delayed period.

2. Learned counsel for the petitioner submits that the petitioner retired from service on attaining the age of superannuation on 31.03.2024. Only part of the retiral dues have been released to the petitioner. He submits that the petitioner has also served a legal notice dated 15.07.2024 (Annexure P-4), however, neither the same has been replied nor remaining dues have been released to the petitioner. He further submits that the petitioner is also entitled for grant of interest on the delayed retiral dues in view of the law laid down by Full Bench in

A.S. Randhawa v. State of Punjab and others, 1997(3) S.C.T. 468 and



a Co-ordinate Bench in *J.S. Cheema v. State of Haryana, 2014(13) RCR (Civil) 355*. Learned counsel submits that at this stage, petitioner would be satisfied, if the said legal notice is considered and decided by respondent no.4 by passing a speaking order in a time-bound frame.

- 3. Notice of motion.
- 4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of respondents No.1 to 3-State and on the asking of the Court, Mr. Vishal Khatri, Advocate, accepts notice on behalf of Mr. Vipul Jindal, Advocate, who is on the panel of Local Government, Punjab, on behalf of respondent No.4 and have no objection to the innocuous prayer made by learned counsel for the petitioner.
- 5. I have heard learned counsel for the parties and have gone through the record of the case.
- 6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.4 is directed to consider and decide the claim made by the petitioner in legal notice dated 15.07.2024 (Annexure P-4) in accordance with law, by passing a speaking order within a period of three months from the date of receipt of certified copy of this order. In case, the petitioner is found entitled, necessary benefits be released within a period of three weeks thereafter.
- 7. The petition stands disposed of.

30.08.2024
R.S.

(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No