

CWP-30423 of 2024

2024:PHF-C:148422



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

CWP-30423 of 2024

Date of decision: 11.11.2024

Rani Devi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: - Mr. Kuljit Singh, Advocate,
for Mr. Peeush Gagneja, Advocate,
for the petitioner.

Mr. Rajesh Sehgal, Addl. A.G., 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 dues of the petitioner along with interest for the delayed period.

2. Learned counsel for the petitioner submits that the petitioner retired as Safai Sewika from service on attaining the age of superannuation on 30.04.2024 from the Municipal Corporation, Abohar. However, the pensionary benefits of the petitioner have not been released except for a sum of Rs.2.00 lakh only, which has been paid on 02.05.2024. He submits that petitioner has served legal notice dated 16.09.2024 (Annexure P-3) upon the respondents, however, neither the same have been replied to nor remaining pensionary

CWP-30423 of 2024

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benefits have been released to the petitioner. Learned counsel for the petitioner submits that at this stage, petitioner would be satisfied, if the said legal notice is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Rajesh Sehgal, Addl. A.G., Punjab, accepts notice on behalf of respondents No.1 and 2-State and on the asking of the Court, Mr. Shobit Phutela, Advocate, who is on the panel of Local Government, Punjab, accepts notice on behalf of respondent No.3 and has 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.3 is directed to consider and decide the claim made by the petitioner in legal notice dated 16.09.2024 (Annexure P-3) 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.

(NAMIT KUMAR)
JUDGE

11.11.2024

R.S.

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No