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

CWP-36632-2025

Date of decision: 22.12.2025

Rimpi and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Anosh Samson, Advocate
for the petitioners.

Mr. Vikas Arora, DAG, Punjab.

Mr. Tarun Deora, Advocate
for respondent No.3.

HARPREET SINGH BRAR, J. (ORAL)

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to release the death-cum-retiral benefits of late Sh. Naresh (Clerk) along with interest @ 18% per annum.

2. On 08.12.2025, the following order was passed:-

'Learned counsel for the petitioners submits that the retiral benefits of deceased husband of petitioner No.1 and father of petitioner No.2 have been withheld by the respondents without any justifiable cause. He further contends that despite filing multiple representations, the grievance of the petitioners, who are the wife and minor son of the deceased employee, has not been redressed. At the time of the retirement of the deceased employee, neither any departmental proceedings nor judicial proceedings were pending. As such, withholding the retiral dues of the deceased employee is contrary to settled law.

Learned State counsel seeks a short accommodation to address arguments.

Adjourned to 16.12.2025.'

3. In purported compliance, learned State counsel submits that an amount was wrongly deposited in the account of the petitioners towards



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gratuity. However, the husband of petitioner No.1 was not entitled to any gratuity and, therefore, the said amount was deducted from the account of the petitioners. He further submits that all retiral dues have been released to the petitioners and an amount of ₹1,43,062/- was handed over to the petitioners by way of cheque. However, the same was not encashed. Consequently, all pending admissible benefits shall be released by way of cheque within a period of four weeks. He also submits that the legal notice dated 08.08.2024 (Annexure P-5) would be considered and a speaking order would be passed by respondent No.3 in a time-bound manner.

4. In view of the above, the respondent(s)/competent authority is directed to consider the legal notice dated 08.08.2024 (Annexure P-5) submitted by the petitioners and pass a speaking order, after affording them an opportunity of hearing, within a period of three months from the date of receipt of a certified copy of this order. All pending admissible benefits shall be released to the petitioners by way of cheque within a period of four weeks from the date of receipt of a certified copy of this order. The decision so taken on the legal notice shall be duly conveyed to the petitioners. Needless to say, if the petitioners are found entitled to the relief(s) claimed, the same shall be granted forthwith by the respondent(s)/competent authority.

5. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

22.12.2025

Neha

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