

(2011) 09 P&H CK 0152

High Court Of Punjab And Haryana At Chandigarh

Case No: C.W.P. No. 17284 of 2011

Smt. Satya Wati

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision: Sept. 15, 2011

Acts Referred:

- Constitution of India, 1950 - Article 226, 227

Hon'ble Judges: Nirmaljit Kaur, J

Bench: Single Bench

Judgement

Nirmaljit Kaur, J.

This is a petition 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 retiral benefits of the Petitioner including the amounts of gratuity, pension, leave encashment and the other related dues along with penal interest from the date of retirement dated 30.06.2008 till the date of payment.

2. The Petitioner is stated to have retired from the post of Assistant Librarian on attaining the age of superannuation on 30.06.2008. More than three years and three months have already been expired from the date of her retirement. Till date, she has not been paid any of her retiral/pensionary benefits even including the amounts of gratuity, leave encashment, provident fund etc. and nor even the monthly pension is being paid to her by the Respondent authorities. A written representation in this regard was made to Respondent No. 3 on 23.11.2010. Still her pension and other retiral benefits have not been released. The Petitioner had also made various representations including reminders Annexures P-2 and P-3 dated 23.11.2010 and 10.07.2011, respectively.

3. In view of the above, the present petition is disposed of with a direction to the appropriate authority to consider the present petition as a comprehensive representation of the Petitioner and decide the same as expeditiously as possible

preferably within one month from the receipt of a copy of this order.

4. However, in case, the Petitioner is found entitled for the said benefits, the same shall be released forthwith and in case, the claim of the Petitioner is to be rejected, the same shall be by passing a speaking order.