



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CWP No. 13702 of 2025

Date of Decision : 14.05.2025

Paramjit Kaur

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arya, Advocate for the petitioner.

Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that at the time of the retirement, a sum of ₹1,39,713/- was recovered from the gratuity vide order dated 03.01.2016 (Annexure P-1), which is arbitrary and illegal and contrary to the settled principle of law as no recovery can be made from a retired employee.

2. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the legal notice dated 03.02.2025 (Annexure P-3) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.



4. On the asking of the Court, Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the legal notice dated 03.02.2025 (Annexure P-3) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed and the said order will be duly conveyed to the petitioner.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

May 14, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No