

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

CWP No. 21977 of 2015
Date of decision: 14.10.2015

Mahindero

....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. J.S. Saneta, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner, being the widow of Late Lakhmir Singh, who was serving as a Patwari with respondent no. 2, seeks the grant of pension and other retiral benefits like gratuity, leave encashment etc. which were admissible to the deceased-employee on account of his retirement on 31.12.2012 and for further grant of family pension to her alongwith interest @ 18% from the due date. The arrears for the suspension period from 31.12.1993 to 09.09.1994, which period has been treated as duty period vide order dated 11.06.2015, has also been claimed alongwith interest.

Counsel for the petitioner submits that a legal notice was served on the respondents on 22.08.2015 (Annexure P-14) but no action has been taken on the same which is apparent from the inter se communication dated 13.08.2015 (Annexure P-13) between respondent nos. 3 and 4 since the employee's head quarter had been fixed at one point of time with respondent no. 4.

Counsel submits that he would be satisfied at this stage if a

direction is issued to the respondents to take a decision on the said legal notice within a time bound frame.

Keeping in view the limited relief sought, this Court does not feel necessary to call upon the respondents to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 2 to take into consideration the legal notice dated 22.08.2015 (Annexure P-14) and decide the same and the claim of interest of the petitioner upon the retiral dues in addition to the financial benefits for the suspension period within a period of 2 months from the date of receipt of certified copy of the order. Needless to say that in case the relief is to be denied, the order should contain reasons.

14.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE