

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

CWP No. 11285 of 2016
Date of decision: 31.05.2016

Sonia Rani

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. V.K. Shukla, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner claims release of gratuity, leave encashment, G.P. fund and ex-gratia grant on account of the death of her husband Raj Kumar, who died while in service.

It is the case of the petitioner that her husband was working as Safai Karamchari/Sweeper with respondent no. 3-Nagar Council, Baghapurana, District Moga and he died while in service on 17.12.2015. It is submitted that family pension is being paid but other benefits are not being paid. The petitioner being the widow of the deceased-employee is entitled to the terminal benefits. It is submitted that demand notice dated 29.04.2016 (Annexure P-1) has already been served upon the respondents but of no avail and he would be satisfied if the said legal notice is decided within a time bound frame.

Notice of motion.

Mr. R.S. Sidhu, AAG, Punjab accepts notice on behalf of respondent nos. 1, 2 and 4. Copy of the writ petition has been supplied to

him in Court.

Keeping in view the limited relief sought, this Court is of the opinion that there is no need for the respondents to file reply.

Accordingly, without commenting on the merits of the case, the writ petition is disposed of with a direction to respondent no. 2 to ensure that action is taken by respondent no. 3 on demand notice dated 29.04.2016 (Annexure P-1) regarding the entitlement of the petitioner for terminal benefits of the deceased employee in accordance with law within a period of 2 months from the date of receipt of certified copy of the order. If there is no legal impediment, the same shall be paid to the petitioner within a period of 1 month thereafter. The said respondents shall also ensure that the liability to pay the interest element due to the delay in disbursement is also decided in view of the Full Bench judgment of this Court in ***A.S.Randhawa Vs. State of Punjab & others 1997 (3) SCT 468.*** Needless to say if the relief is to be denied, a reasoned order be passed and conveyed to the petitioner.

31.05.2016
shivani

(G.S. SANDHAWALIA)
JUDGE