

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

CWP No.17170 of 2017

Date of decision: August 03, 2017

Asha

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Singal, Advocate for
Mr. Peeush Gagneja, Advocate
for the petitioner.

JASPAL SINGH, J.(ORAL)

By virtue of the civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents to release the retirement-cum-service benefits of the deceased husband of the petitioner, along with interest for delayed period, and for which a legal notice dated 2nd May, 2017 (Annexure P-4) has also been submitted by him.

The contention of learned counsel for the petitioner is that the petitioner stood retired from service as Safai Mate on 30th November, 2016 on attaining the age of superannuation but till date retiral benefits have not been disbursed to him. Even legal notice dated 2nd May, 2017 (Annexure P-4) was also served upon the respondents through the Executive Officer, Municipal Council, Abohar, District Fazilka who is the competent authority to grant and release the pensionary benefits but till date neither any response has been received from respondent No.4 nor any action has been taken so far, despite the fact that a period of more than three months elapsed.

Learned counsel for the petitioner feels satisfied in case direction is given to respondent No.4-The Executive Officer, Municipal Council, Abohar, District Fazilka, to pass a conscious decision on legal notice dated 2nd May, 2017 (Annexure P-4).

Accordingly, the instant petition is disposed of with direction to respondent No.4-The Executive Officer, Municipal Council, Abohar, District Fazilka, to look into the grievances unfolded by the petitioner in his legal notice dated 2nd May, 2017 (Annexure P-4) and take a conscious decision within a period of three months from the date of receipt of certified copy of this order.

In case respondent No.4 arises at a conclusion that the petitioner is entitled to the relief claimed by him through legal notice, to release/disburse the same within next 45 days especially keeping in view the grant of interest in view of judgment titled as *R.S. Randhawa Vs. State of Punjab, 1997(3) RSJ 318* and *CWP No.8772 of 2015 dated 11th July, 2017*.

If petitioner feels aggrieved of the order passed by respondent No.4, he shall be at liberty to approach this Court again.

August 03, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No