

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

Sr. No.116

Civil Writ Petition No.20708 of 2017
DECIDED ON: September 13, 2017

SULAKSHNA SHARMA

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Abhinav Oberoi, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of mandamus directing the respondents to give interest on delayed payment of Gratuity i.e. from April 21, 2011 till date.

2. Learned counsel for the petitioner contends that husband of the petitioner namely Sh. Ravinder Kumar Sharma was taken away by nature on April 11, 2011 during his service. This petition is filed by widow of deceased Ravinder Kumar Sharma and she is legally entitled to benefits accrued on account of death of her husband.

3. Learned counsel for the petitioner further submits that various representations were made including latest representations dated April 13, 2015 (P-3) as well as dated July 26, 2016 (P-4) were issued to the

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respondent No.3 but no final decision has been taken by the concerned authorities till date.

4. Learned counsel for the petitioner further submits that she feels satisfied in case a direction is issued to respondent No.3 to decide her representations dated April 13, 2015 (P-3) as well as dated July 26, 2016 (P-4) in a time bound manner.

5. Instant petition is disposed of with a direction to respondent No.3-Executive Officer, Municipal Council, Rajpura, District Patiala, Punjab to look into the grievances unfolded by the petitioner in the aforesaid representations dated April 13, 2015 (P-3) as well as dated July 26, 2016 (P-4) and take a conscious decision by passing a speaking order in the light of judgment passed by Full Bench of this Court in case ***A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468*** as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as ***Charan Dass vs. State of Punjab & Ors.*** decided on July 11, 2017 within a period of two months from the date of receipt of a certified copy of this order. In case, respondent No.3 comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next one month.

6. However, if petitioner still feels aggrieved by any order of the afore-said authority, she shall be at liberty to approach this Court.

September 13, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**