

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 23088 OF 2017
DECIDED ON: DECEMBER 15, 2017

PARAMJIT KAUR

....PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Satraj Singh Toor, Advocate for the petitioner.

JASPAL SINGH, J (ORAL)

CM-17980-CWP-2017

Application is allowed as prayed for. Fresh power of attorney (vakalatnama) on behalf of the petitioner is taken on record, subject to all just exceptions. Be tagged at appropriate place.

CM stands disposed of.

Main case

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing respondent No.2 to release the ex-gratia of Rs.10 lacs as per clause (c) of Govt. letter dated 13.10.2010 (Annexure P-8) to the family of HC Charanjit Singh in lieu of letter No.19895//acctt-3 dt.10.12.2014.

2. The contention of learned counsel for the petitioner is that the husband of the petitioner namely Charanjit Singh, Head Constable No.2869 died during his service and in view of the instructions dated 13.10.2010, the

petitioner is entitled to ex-gratia to the tune of Rs.10 lacs. Though, the matter was taken up by the office of Director General of Police, Punjab to the Chief Secretary, Govt. of Punjab, Home and Justice Department, Punjab vide letter No.19895/ACCTT-3, dated 10.12.2014 (Annexure P-6) yet, no conscious decision has been taken by the aforesaid office. Even subsequent thereto, representation dated 20.10.2016 (Annexure P-7) was also moved by the son of the deceased to the respondents but till date neither any action has been taken nor any reply has been received.

3. Learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to Chief Secretary, Govt. of Punjab, Home and Justice Department, Punjab to take conscious decision, within a stipulated period.

4. Accordingly, without expressing any opinion on the merits but considering the fact that the office of Chief Secretary, Govt. of Punjab, Chandigarh is seized of the matter for the last more than 3 years, it would be just and expedient to direct respondent No.1 to consider the case of the petitioner and take a conscious decision in view of the various instructions and letters referred to in the representation and other letters, within a period of three months from the date of receipt of certified copy of this order.

5. However, if the petitioner still feels aggrieved against any of the order(s) passed by concerned authorities, she shall be at liberty to approach this Court.

DECEMBER 15, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*
Whether reportable *Yes/No*