

CWP No. 23473 of 2017

DECIDED ON: NOVEMBER 02, 2017

LAVIJA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagneshwar Walia, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of writ especially in the nature of mandamus directing the respondents to grant family pension, gratuity (DCRG), Ex-gratia, provident fund along-with arrears and interest on account of services rendered by the husband of the petitioner, who died in harness on January 16, 2014 that too, by counting his entire daily wage service rendered by him prior to his regularization as qualifying service for the purposes of pensionary/retiral benefits.

2. The contention of learned counsel for the petitioner is that husband of the petitioner died in harness on January 16, 2014 but till date nothing has been paid to her. Moreover, the case of the petitioner is squarely covered by a Division Bench judgment of this Court rendered in CWP No. 2371 of 2010, titled as Harbans Lal vs. State of Punjab (P-3) decided on August 31, 2010 as

well as judgments passed by this Court in CWP No. 1665 of 2017, titled as Budhi Singh and others vs. State of Punjab and others (P-6), decided on August 09, 2017 and in CWP No. 11802 of 2008 titled as Paramjit Kaur vs. State of Punjab & others (P-7), decided on May 11, 2016. Petitioner moved a representation dated May 11, 2016 (P-8) to respondents No.2 and 3 but till date no action has been taken. Learned counsel for the petitioner further submits that petitioner feels satisfied in case a direction is issued to respondents No.2 and 3 to consider and decide the aforesaid representation, within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents No.2 and 3 to look into the grievances unfolded by the petitioner in her representation (P-8) and to decide the same in view of Service Rules and Regulations as well as instructions issued by the Government from time to time and also in view of the judgments referred in para 2 of this petition, within a period of three months from the date of receipt of certified copy of this order.

4. However, if the petitioner still feels aggrieved of the order passed by the concerned authority, she shall be at liberty to approach this Court.

NOVEMBER 02, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*