

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

**Civil Writ Petition No.23494 of 2017
Decided on : 12.10.2017**

Maya Devi

... Petitioner

Versus

Punjab Mandi Board and others

... Respondents

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

Present : Mr. P.K. Goklnaey, Advocate for the petitioner.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks a writ in the nature of mandamus under Article 226 of the Constitution of India for directing the respondents to release family pension and all other pensionary benefits such as leave encashment and gratuity etc. under the old pension scheme, in view of the Division Bench judgment passed in '**Harbans Lal Vs. State of Punjab and others**', 2012 (3) SCT 362.

It is the case of the petitioner that her husband late Richhpal Singh who was working with the respondent-Board as a daily wager since 01.08.1989 had expired on 12.06.2009. The respondent has regularized his services vide order dated 27.07.2011 (Annexure P-4) w.e.f. 23.01.2001 and, therefore, she has become entitled for the said relief.

Counsel submits that a legal notice dated 30.06.2017 (Annexure P-7) has been served upon the respondents and he prays that the same may be decided by the respondents within a specified time frame.

Keeping in view the above, since the decision making process is not complete, no useful purpose will be served by calling upon the respondents to file reply.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with a direction to respondent No.1 to take a decision on the said legal notice dated 30.06.2017 (Annexure P-7) within a period of 3 months from the receipt of the certified copy of this order.

Needless to say that, in case, any adverse order is to be passed, the same be conveyed to the petitioner by passing a speaking order.

OCTOBER 12, 2017
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No