

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 23933 OF 2017
DECIDED ON: OCTOBER 24, 2017

PHOOLWATI

.....PETITIONER

VERSUS

HARYANA STATE FEDERATION OF
CONSUMERS CO-OPERATIVE WHOLESALE
STORES LTD. (CONFED) AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Dhiraj Chawla, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought issuance of a writ in the nature of certiorari for quashing the impugned order dated 29.04.2008 (Annexure P-7) whereby husband of the petitioner has been dismissed from service despite the fact that he had already expired on 05.10.2006 as per death certificate issued on 17.03.2015. AND further directing the respondents to release all the service benefits such as leave encashment, gratuity, provident fund, 1st and 2nd ACP with arrears thereof, financial benefits under General Insurance Scheme, Arrears of 6th Pay Commission along with interest.

2. Learned counsel for the petitioner contends that the husband of the petitioner expired on 05.10.2006 but till date even the basic terminal dues have

not yet been released to the petitioner so far. Even, a legal notice dated 12.12.2016 (Annexure P-9) was duly served upon the respondents but till date no conscious decision has been taken. Learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondents to decide the aforesaid legal notice within a stipulated period.

3. Instant petition is disposed of with a direction to the respondent(s) to look into the grievances unfolded by the petitioner in her legal notice dated 12.12.2016 (Annexure P-9) and to take a conscious decision, that too, after hearing the petitioner and by passing a speaking order, 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 against the order passed by the concerned authority, she shall be at liberty to approach this Court.

OCTOBER 24, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*