

CWP No. 24886 of 2017

DECIDED ON: NOVEMBER 02, 2017

MAMTESH

.....PETITIONER

VERSUS

STATE OF HARYANA AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashok Tyagi, 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 release the monthly compassionate assistance by way of ex-gratia financial assistance as well as other retiral benefits i.e. gratuity, GPF, GIS etc along-with interest @ 18% per annum from the due date till the actual date of realization accrued on account of untimely demise of her husband.

2. The contention of learned counsel for the petitioner is that husband of the petitioner was taken away by the nature on May 12, 2007, while in service. He was serving as Driver in the office of General Manager, Haryana State Transport, Sonapat on fixed salary. However, his services were regularised vide Annexure P-3. Thereafter, petitioner moved different representations for the grant of monthly financial assistance i.e. GPF and other

benefits accrued to the petitioner on account of demise of her husband but till date nothing has been paid to her. Petitioner was also constrained to serve legal notice dated October 03, 2017 (P-7) upon the respondents through her counsel but till date no action has been taken. Even, respondent No.2 did not prefer to respond the said notice. Learned counsel for the petitioner further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to consider and decide the aforesaid legal notice, within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in her legal notice (P-7) and to decide the same in view of Service Rules and Regulations as well as instructions issued by the Government from time to time, 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*