

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 25269 OF 2017
DECIDED ON: NOVEMBER 07, 2017

JYOTI

.....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. B.R. Rana, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus directing the respondents to release the death-cum-retiral gratuity and other benefits to the petitioner being adopted daughter and sole Class-I legal heir of deceased Surinder Kumari.

2. The contention of learned counsel for the petitioner is that the mother of the petitioner namely Surinder Kumari, who was posted as Hindi Mistress, Govt. Senior Secondary School, Machaki Kalan, District Faridkot was taken away by the nature on 28.07.2016 leaving behind the petitioner as her adopted daughter, which fact otherwise stands fortified from letter dated 10.02.2017 (Annexure P-7) whereby the pension papers along with service book and other documents of deceased Surinder Kumari was sent to respondent

No.4-Accountant General, Punjab, Chandigarh but since February 2017, respondent No.4 is sitting over the matter and has not released all the pensionary benefits on account of death of Surinder Kumari. Even, a representation dated 07.06.2017 (Annexure P-8) was also moved to respondent No.4 but till date neither any action has been taken nor any response has been received. Learned counsel for the petitioner further submits that petitioner feels satisfied in case direction is issued to respondent No.4 to decide the aforesaid representation, within a stipulated period.

3. Taking into consideration the aforesaid aspect of the case, the instant petition is disposed of with a direction to respondent No.4 to look into the grievances unfolded by the petitioner in her representation dated 07.06.2017 (Annexure P-8) and to decide the same in accordance with law, within a period of two 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.

NOVEMBER 07, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*