

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

Sr. No.135-c

Civil Writ Petition No. 28477 of 2017
DECIDED ON: December 14, 2017

RAJAN

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Barjesh Kumar Sharma, Advocate for
Mr. Vikas Garg, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of a writ especially in the nature of mandamus, directing the respondents to pay/release the retiral/monetary and other benefits i.e. DCRG, Leave Encashment, GPF etc. along with interest 18%, which the petitioner is entitled after the death of her husband.

2. Learned counsel for the petitioner submits that though a legal notice dated November 13, 2017 (P-1) was moved to the respondents but till date, no action has been taken. He further submits that petitioner feels satisfied in case direction is given to respondent No.2, to decide the aforesaid legal notice, within a stipulated period.

Civil Writ Petition No. 28477 of 2017

3. Accordingly, instant petition is disposed of with the direction to respondent No.2, to look into the grievances unfolded by the petitioner in her legal notice dated November 13, 2017 (P-1) and take a conscious decision, by passing a speaking order considering all the facts narrated in the aforesaid legal notice, within a period of three months from the date of receipt of certified copy of this order. If there is no legal or otherwise any impediment to release of the benefit, same be released to her within a period of next one month. Factum of interest in view of judgment passed by Full Bench of this Court in case *A.S. Randhawa vs. State of Punjab & Ors., 1997 (3) SCT 468* as well as judgment passed by this Court in CWP No.8772 of 2015 captioned as *Charan Dass vs. State of Punjab & Ors.* decided on July 11, 2017 and Instructions No.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, be also considered on delayed payment(s).

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

December 14, 2017

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**