

C.O.C.P. No. 243 of 2014

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No. 243 of 2014

DATE OF DECISION:09.01.2018

Kulwant Kaur

.....Petitioner

Versus

Jaswinder Singh Bhandari

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Ashok Giri, Advocate
for the petitioner.

Ms. Anu Chatrath, Addl. A.G., Punjab.

DAYA CHAUDHARY, J.

The petitioner approached this Court by way of filing C.W.P. No. 4564 of 2012, which was disposed of vide order dated 19.3.2012, with a direction to respondent No.2 to release the after death benefits of Gurdev Singh-deceased, as per rules, within a period of three months from the date of receipt of certified copy of the order.

In pursuance of aforesaid direction, the petitioner is claiming her right over 1/3rd share of the amount to be paid to her being one of the LRs of deceased-Gurdev Singh.

As per case of the petitioner, her share as per entitlement has not been given to her, whereas, learned counsel for the respondent-State submits that amount has been released and thereafter a detailed speaking

order dated 3.10.2017 has been passed, which is annexed as Annexure R-4 with the affidavit filed on behalf of respondent No.1 on 6.10.2017.

Since the compliance of the order has been made and in case, there is some difference in the amount to be paid to the petitioner as per her entitlement, she is at liberty to challenge order dated 3.10.2017 as only the direction was to release the amount, as per rules. However, the amount which was to be paid to the petitioner and other LRs of the deceased is not mentioned in the aforesaid order dated 19.3.2012.

Accordingly, no contempt is made out and the present petition is dismissed.

However, in case the petitioner is aggrieved by the said order in any manner, she is at liberty to challenge order dated 3.10.2017.

January 09, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No