

**CWP No. 10785 of 2018
DECIDED ON: MAY 07, 2018**

SANTOSH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. V.K. Shukla, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article petitioner has sought a writ in the nature of certiorari to quash the memo dated 13.12.2004 (P-1) and letter dated 04.09.2008 (P-2) issued by the respondents declining her claim for pensionary benefits viz. Family pension, gratuity, leave encashment and GP Fund on account of death of her husband WITH FURTHER prayer for issuance of a writ in the nature of mandamus directing the respondents to release her pensionary benefits viz. Family pension, gratuity, ex-gratia grant, GPF and leave encashment on account of death of her husband along-with arrears as well as interest @12 per annum on the delayed payment thereof.

2. At the very outset learned counsel for the petitioner has submitted that though a legal notice dated 11.12.2017 (P-5) was duly served upon the respondents but despite the fact that a period of more than four months has

expired neither any reply has been received nor any conscious decision has been taken. He further submits that he feels satisfied in case a direction is issued to respondents to consider and decide the afore-said legal notice/notice of demand dated 11.12.2017 (P-5) within a time bound manner.

3. Without expressing any opinion on the merits of the case and also in view of submission made by learned counsel for the petitioner instant petition is disposed of with a direction to respondents to look into the grievance unfolded by the petitioner in her legal notice/notice of demand dated 11.12.2017 (P-5) in accordance with law, rules, regulations as well as instructions issued by the Government from time to time within a period of four months from the date of receipt of certified copy of this order.

4. However, in case the petitioner still feels aggrieved by any of the order passed by the afore-said authorities, she shall be at liberty to have recourse to other remedies available to her under law including to approach this Court.

MAY 07, 2018
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*