

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11367 OF 2018
DECIDED ON: MAY 07, 2018

BIMLA

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Inderjit Sharma, Advocate,
for the petitioner.

JASPAL SINGH, J.

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of mandamus directing the respondents particularly respondent No.3 to release retiral benefits such as gratuity, leave encashment, medical allowance, arrears of pension, pensionary benefits with family pension pertaining to the husband of petitioner who died on 30.08.2017 during the extension period as admissible to him along with all consequential benefits attached with his service benefits as well as interest @ 9% on delayed payments of retiral benefits.

2. The contention of learned counsel for the petitioner is that the husband of petitioner namely Prem Lal was taken away by the nature on 30.08.2017 i.e. in the extended period of his service after the date of his retirement on completion of 58 years of his age. Though, part payment has been

released by the respondents yet gratuity, leave encashment and some other benefits have not so far been disbursed to her. Even, petitioner moved representations dated 15.09.2017 and 06.03.2018 (P-2 and P-3 respectively) but till date neither any response has been received nor any decision has been taken thereon. He further submits that petitioner feels satisfied in case direction is issued to respondents to consider and decide latest representation dated 06.03.2018 (P-3), within a stipulated period.

3. Accordingly, instant petition is disposed of with a direction to respondents to consider the case unfolded by petitioner in representation dated 06.03.2018 (P-3) and to take conscious decision, within a period of two months from the date of receipt of certified copy of this order. In case, the concerned authorities come to the conclusion that petitioner is entitled to the relief claimed, to calculate and release the same within a period of next 45 days.

4. However, if petitioner still feels aggrieved by any order of the aforesaid authority, she shall be at liberty to have recourse to the other remedies available under law as well as to approach this Court.

MAY 07, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>Yes/No</i>