

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

Sr. No.114

Civil Writ Petition No.167 of 2018
DECIDED ON: January 10, 2018

KRISHNA DEVI

..PETITIONER

VERSUS

DAKSHIN HARYANA BIJLI VITRAN NIGAM LTD. AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Parkash Chahar, Advocate, for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to grant/pay the due amount of terminal benefits of her husband Late Sh. Dilbag Singh i.e. the amount of leave encashment and amount of DCRG along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on May 18, 2017 (P-9) but till date neither any reply to the said legal notice has been received nor any final order has been passed by the respondents.

3. Learned counsel for the petitioner further submits that she feels satisfied in case a direction is issued to respondent No.1 to decide the above said legal notice in a time bound manner.

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4. Instant petition is disposed of with a direction to respondent No.1 to look into the grievances unfolded by the petitioner in his legal notice dated May 18, 2017 (P-9) and to 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 a certified copy of this order. In case, there is no legal or any other impediment to release the amount of DCRG, same be released to her within a period of next 45 days. 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.1/2(152) 01-2 FR II dated 20.02.2002 issued by the Government of Haryana, be also considered on delayed payment(s).

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to approach this Court.

January 10, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**