

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.19919 OF 2018
DECIDED ON: AUGUST 10, 2018

USHA

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. C.S. Rana, Advocate,
for the petitioner.

JASPAL SINGH, J.

Through 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 to release the salary of the deceased husband of the petitioner for the period 01.01.2013 to 30.04.2013. And further to release the medical treatment expenses for the period, petitioner's husband remained ill from 06.08.2011 to 23.11.2011.

2. Learned counsel for the petitioner contends that the husband of petitioner namely Vijay Kumar was appointed as Safai Karamchari on 29.08.1989 and was taken away by the nature on 02.02.2013. After the death of her husband, the salary for the period of 01.01.2013 to 30.04.2013 has not been paid to the petitioner. Constrained against the inaction of the respondents, petitioner served legal notice dated 12.10.2017 (P-2) upon the respondents, 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 legal notice (P-2) within a stipulated period.

4. Accordingly, instant petition is disposed of with a direction to respondent(s) to consider the case unfolded by the petitioner in legal notice (P-2) and to take a conscious decision within a period of two months from the date of receipt of certified copy of this order. If the concerned authority comes to the conclusion that petitioner is entitled to the relief claimed through legal notice, to calculate and disburse the benefits accrued to the petitioner, within a period of next one month.

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

AUGUST 10, 2018

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Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*

(JASPAL SINGH)
JUDGE