

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.20783 OF 2018
DECIDED ON: AUGUST 20, 2018

SHASHI

.....PETITIONER..

VERSUS

HARYANA VIDYUT PRASARAN NIGAM
LTD. AND ORS.

.....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rishabh Gupta, Advocate for
Mr. Shvetanshu Goel, 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 respondent authorities for releasing of 100% family pension and other benefits, interest @ 18% per annum on delayed payment of gratuity and other pensionary benefits including monthly financial assistance benefits, arrears on account of revision of pay w.e.f. 01.01.2016 in view of 7th pay commission and for releasing the medical reimbursement expenses to the tune of Rs.53,065/- together with interest.

2. At the very outset, learned counsel for the petitioner submits that petitioner feels satisfied in case direction is issued to respondent No. 1 to decide legal notice dated 26.06.2018 (P-9) duly served upon the respondent(s), in a

time bound manner.

3. Without expressing any opinion on the merits of the case, instant petition is disposed of with the direction to respondent No.1-Managing Director, Shakti Bhawan, Sector 6, Panchkula or any other competent officer subordinate to him, to consider the claim of the petitioner put forth by her in legal notice (P-9) and to take a conscious decision, within a period of three 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, to release the same within a period of next 45 days.

4. As far as grant of interest on delayed payment is concerned that shall also be considered in view of the observations made by Full Bench of this Court in case captioned as ***“R.S. Randhawa vs. State of Punjab, 1997 (3) RSJ 318*** as well as ***Govt. of Haryana Instructions No.1/2(152)01-2FRII, dated 20.02.2002.***

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

AUGUST 20, 2018
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(JASPAL SINGH)
JUDGE

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