

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

Sr. No.151

Civil Writ Petition No.23683 of 2018
DECIDED ON: September 17, 2018

SONU AND ANOTHER

..PETITIONERS

VERSUS

**THE DIRECTOR GENERAL URBAN LOCAL BODIES, BAYS 11-12,
SECTOR 4 PANCHKULA, HARYANA AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Naresh Chander, Advocate,
for the petitioners.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioners have sought issuance of a writ in the nature of Mandamus directing the respondents to release the death-cum retirement benefits etc. to them on account of death of their mother who was died during the service period i.e. on 26.02.2018 AS WELL AS to decide the legal notice dated 20.07.2018 (P-1).

2. Learned counsel for the petitioners contends that mother of the petitioners namely Smt. Lali Devi was working in the office of respondent No.3 as Safai Karamchari (Sweeper) and she had joined office on regular basis on 12.01.1995. But unfortunately during the service mother of the petitioners was died on 26.02.2018. He further submits that they feel satisfied in case a direction is issued to respondents particularly respondents

Civil Writ Petition No.23683 of 2018

No.3 & 4 to decide the legal notice dated 20.07.2018 (P-1), within some specified period.

3. Instant petition is disposed of with a direction to respondents particularly respondents No.3 & 4 to look into the grievances unfolded by the petitioners in the legal notice dated 20.07.2018 (P-1) and to take a conscious decision by passing a speaking order, within a period of four months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioners are entitled to the relief(s) claimed, same be released to them 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).

4. However, if petitioners still feel aggrieved by any of the orders passed by the aforesaid authority, they shall be at liberty to approach this Court.

September 17, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**