

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

Sr. No.262

Civil Writ Petition No.2869 of 2017
DECIDED ON: May 03, 2018

BALJIT SINGH

..PETITIONER

VERSUS

**THE PUNJAB STATE COOPERATIVE AGRICULTURAL
DEVELOPMENT BANK LIMITED AND ANOTHER**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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

Mr. Bikramjit Singh Patwalia, Advocate,
for respondent No.1.

Respondent No.2 is proceeded against ex parte.

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 especially in the nature of Mandamus directing the respondents to make the payment of the retiral dues including leave encashment, gratuity etc. along with interest @ 18% per annum from the date of its accrual till its realization.

2. During the pendency of the instant petition, petitioner-Baljit Singh was taken away by the nature on 23.02.2017. Subsequently, his wife namely Smt. Hardeep Kaur moved a representation dated 10.05.2017 (P-7) to the Managing Director, The Punjab State Cooperative Agricultural

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Development Bank Ltd., Bank Square, Sector 17, Chandigarh but despite the fact that a period of one year is going to elapse yet neither the benefits accrued to her husband on the date of his retirement have been released nor any conscious decision has been taken thereon. It has also been unfolded by the learned counsel for the petitioner during the course of arguments that earlier there was a criminal case bearing FIR No.167, dated 24.12.2012, under Section 420, 120-B IPC, City Hoshiarpur, registered against the husband of the petitioner namely Baljit Singh, but that stands abated on account of his demise. Learned counsel for the petitioner feels satisfied in case a time bound direction is issued to decide the aforesaid representation (P-7) moved by the wife of deceased Baljit Singh to release the benefits.

3. Without expressing any opinion on the merits, instant petition is disposed of with the direction to consider the claim of wife of the deceased Baljit Singh put forth by her in the representation dated 10.05.2017 (P-7) within a period of two months from the date of receipt of a certified copy of this order. If the competent authorities come to the conclusion that she is entitled to the benefit accrued to her husband on account of demise of her husband, to release the same within next 45 days. In case of non compliance of this order, petitioner shall be entitled to interest @ 9% per annum from the date of filing of instant petition.

May 03, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**