

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-28246-2018

Date of decision: - 26.11.2018

Darshan Kaur

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Joginder Pal Devgan, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Petitioner has filed the present writ petition claiming the pensionary benefits after the death of her husband.

Counsel for the petitioner states that only a sum of ₹4,00,000/- has been paid to the petitioner and that too without any description. Even though, late husband of the petitioner was entitled for leave encashment, gratuity, pension, commute pension, medical allowance and other retiral benefits amounting to more than ₹10,00,000/-.

Counsel for the petitioner states that there is no justifiable reason with the respondents to withhold the said amount and for the last more than 3½ years, the said amount has not been released by the respondents.

Counsel for the petitioner further states that, at this stage, the petitioner will be satisfied in case a time bound direction is given to the

respondents to decide legal notice dated 21.08.2018 (Annexure P-7) which the petitioner has submitted through counsel for release of the pensionary benefits.

Keeping in view the request made by counsel for the petitioner, without expressing any opinion on the merits of the case and the claim being made by the petitioner in the legal notice dated 21.08.2018 (Annexure P-7), the present petition is disposed of with a direction to the respondents to decide the claim made by the petitioner in the legal notice dated 21.08.2018 (Annexure P-7), by passing a speaking order, within a period of three months from the date of receipt of a certified copy of this order. In case, after the decision it is found that the petitioner is entitled for any monetary benefits, the same should also be released to her within a period of three months thereafter. The claim of the petitioner for the grant of interest should also be considered while passing the order.

Present writ petition stands disposed of accordingly.

November 26, 2018
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No