

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

Sr. No.126

Civil Writ Petition No.4984 of 2018
DECIDED ON: March 01, 2018

BALJIT KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Bansal, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

By virtue of the instant civil writ petition, preferred under Articles 226/227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Mandamus directing the respondents to release the pensionary benefits along with arrears of salary of her husband and pay the interest @ 18% per annum.

2. Learned counsel for the petitioner contends that the husband of the petitioner was appointed as Mali on 02.12.1997 in the respondent No.4- Guru Teg Bahadur Khalsa High School, Baba Bakala, District Amritsar and died on July 31, 2015 while in service. After the death of her husband, petitioner is entitled to pensionary benefits but the same were not released/distributed to her till date. Petitioner was constrained to serve a legal notice dated August 14, 2017 (P-3) to the respondents. Vide reply

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dated 28.12.2017, respondents No.1 to 3 have admitted that her case for pensionary/retiral benefits was submitted by the respondent No.4, but the same was returned back with objection as it was incomplete and without proper documentations. Thereafter, there is no reply for submission of complete document from the respondent No.4. Further, she feels satisfied in case a direction is issued to respondents No.4 & 5 to decide the aforesaid legal notice dated August 14, 2017 (P-3) within some specified period.

3. Instant petition is disposed of with a direction to respondents No.4 & 5 to look into the grievances unfolded by the petitioner in the legal notice dated August 14, 2017 (P-3) and take a conscious decision by passing a speaking order as per rules, regulations and instructions issued by the Government from time to time, within a period of three months from the date of receipt of a certified copy of this order. In case, non compliance of this order, petitioner shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

March 01, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**