

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

Sr. No.125

Civil Writ Petition No.5300 of 2018
DECIDED ON: March 06, 2018

VEENA DEVI

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. A.P.S. Sidhu, Advocate,
for the petitioner.

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 in the nature of Mandamus directing the respondents to release the retiral benefits i.e. ex-gratia, family pension, gratuity, leave encashment, provident fund and D.A. Instalments along with interest @ 18% per annum.

2. Learned counsel for the petitioner contends that husband of the petitioner namely Ram Kumar s/o Sh. Parbhati Ram was appointed as Safai Sewak with respondent No.4 and died on May 13, 2017 during service. Neither any departmental nor any judicial proceeding is pending against the husband of the petitioner. He further contends that though a legal notice was made to the respondents on November 14, 2017 (P-2) but till date no conscious decision has been taken so far. Further he feels satisfied in case a

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direction is issued to respondent No.4 to decide the aforesaid legal notice (P-2) in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.4 to look into the grievances unfolded by the petitioner in the legal notice dated November 14, 2017 (P-2) and take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice (P-2), within a period of two months from the date of receipt of a certified copy of this order. If there is no legal or other impediment, relief(s) be released to her 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.1/15/90IFPIII/4226 dated 10.05.1990 issued by the Government of Punjab, shall also be considered on delayed payment(s). In case of non compliance of this order, petitioner shall be at liberty to approach this Court.

March 06, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No