

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

Sr. No.137

Civil Writ Petition No.6533 of 2018
DECIDED ON: March 15, 2018

SADHU RAM

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. MJS Bedi, 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 pay the death-cum-retiral benefits along with interest @ 18% of the mother of the petitioner.

2. The contention of learned counsel for the petitioner is that mother of the petitioner namely Smt. Om Pati wife of Late Sh.Jeet Ram was working as Sweeper in the office of respondent No.4 and she was died on 31.07.2017 during his service. He further contends that Shankar Ram son of Smt.Om Pati got the job on compassionate ground. Now, none of the legal heirs have any kind of objection, if the amount of Death-cum-retiral benefits along with interest released in favour of the petitioner. After the

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death of his mother, he approached to the office of respondents for release the same but till date no action has been taken by the respondents. The petitioner being aggrieved of the non-disbursal of the said benefits was constrained to serve a legal notice upon the respondents on 11.01.2018 (P-1), but no response has been received so far. He further submits that he feels satisfied in case a direction is issued to respondent No.4 to decide the aforesaid legal notice in a time bound manner.

3. Instant petition is disposed of with a direction to respondent No.4-Executive Officer, Municipal Council, Rampura Phul, District Bathinda, Punjab to consider the legal notice dated 11.01.2018 (P-1) 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 two months from the date of receipt of a certified copy of this order. In case, competent authorities come to the conclusion that mother of the petitioner is entitled to the relief(s) claimed, same be released to the petitioner within a period of next 45 days. In case of non compliance of this order, petitioner shall be at liberty to approach this Court.

March 15, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**