

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

Sr. No.121

**Civil Writ Petition No.747 of 2018
DECIDED ON: January 16, 2018**

RAJINDER KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ranjivan Singh, 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/grant the retiral benefits and other monetary dues including the salary of her husband who is missing from August 08, 2015 in view of policy circular dated March 27, 1991 (P-9) along with interest @ 18% per annum.

2. The contention of learned counsel for the petitioner is that though respondents have initiated certain proceedings for grant of benefits accrued to the petitioner on account of unfortunate missing of her husband whose whereabouts are not known till date, yet no final decision has been taken. The matter is shuttling from one branch to another branch of the Government. Even a legal notice dated June 08, 2017 (P-10) was also served upon the respondents but till date no conscious decision has been taken.

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3. Instant petition is disposed of with a direction to respondent No.4-Executive Engineer, Department of Water Supply and Sanitation, Punjab, Government Works Division No.1, Patiala (Punjab) to consider the case of the petitioner as set up in the legal notice dated June 08, 2017 (P-10) and take a conscious decision by passing a speaking order considering all the facts narrated in the aforesaid legal notice within a period of three months from the date of receipt of a certified copy of this order. In case, competent authorities come to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next 45 days. Grant of interest be also considered on delayed payment(s).

4. However, if petitioner still feels aggrieved by any of the order(s) passed by the aforesaid authority, she shall be at liberty to approach this Court.

January 16, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**