

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

Sr. No.110

Civil Writ Petition No.7882 of 2018
DECIDED ON: April 30, 2018

MANJIT KAUR

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. P.S. Khurana, 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 grant family pension and all other service benefits including gratuity, leave encashment etc. accrued on account of the services rendered by her husband Sh. Shinderpal Singh, Naib Tehsildar, after the death of her husband i.e. 01.05.2017 along with all consequential benefits, arrears and interest thereupon @ 12% per annum till the realization of the said payments/benefits.

2. At the very outset, learned counsel for the petitioner contends that though a legal notice dated 08.02.2018 (P-17) was made to the respondents but till date no final decision has been taken. He further

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submits that she feels satisfied in case a direction is issued to respondents to decide the aforesaid legal notice (P-17) within some specified period.

3. Instant petition is disposed of with a direction to respondents to consider the grievances unfolded by the petitioner in the legal notice dated 08.02.2018 (P-17) and to take a conscious decision by passing a speaking order, within a period of two months from the date of receipt of a certified copy of this order. In case, competent authorities comes to the conclusion that petitioner is entitled to the relief(s) claimed, same be released to her within a period of next one month. 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, be also considered on delayed payment(s). However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, she shall be at liberty to approach this Court.

April 30, 2018

Ankur

(JASPAL SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No