

**CWP No.8084 of 2018
DECIDED ON: APRIL 02, 2018**

TRIPTA DEVI

.....PETITIONER

VERSUS

PUNJAB STATE CIVIL SUPPLIES CORP LTD AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Harbans Sharma, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

Through the instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought a writ in the nature of mandamus directing the respondents to pay the balance retiral benefits accrued to her husband i.e ₹2,49,938/- along-with interest @ 12% per annum from the date it became due till its actual realization.

2. The contention of learned counsel for the petitioner is that husband of the petitioner stood retired on July 31, 2002 on attaining the age of superannuation. An amount of ₹2,49,938/- was withheld by the respondent No.2 vide order dated 23.08.2002 on account of pendency of some civil suit. The said civil suit was dismissed vide judgment and decree dated 14.02.2012 (P-1) passed by learned Addl. Civil Judge (Sr. Division), Hoshiarpur. An appeal filed against the afore-said judgment and decree has also been dismissed by the

Appellate Court vide its judgment and decree dated 14.12.2015. Unfortunately, husband of the petitioner expired on 26.04.2016. Since, the amount referred to above was not released despite several requests, petitioner was constrained to serve legal notice dated 29.01.2018 (P-4) upon the respondents but till date neither any reply to the notice has been received nor any conscious decision has been taken. However, petitioner feels satisfied in case a direction is issued to respondent No.2 to consider and decide the afore-said legal notice dated 29.01.2018 (P-4) within some stipulated period.

3. Accordingly, without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in the legal notice 29.01.2018 (P-4) and to decide the same in accordance with law, rules and regulations within a period of three months from the date of receipt of certified copy of this order. In case petitioner still feels aggrieved by any order of the afore-said authority, she shall be at liberty to have recourse to the other remedies available to her under law including to approach this Court.

APRIL 02, 2018
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(JASPAL SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>