

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

CWP No. 8643 of 2018
Date of decision: April 06, 2018

BABY

....PETITIONER.

V.

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Peeush Gagneja, Advocate,
for the petitioner.

JASPAL SINGH, J.

Through instant civil writ petition, preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of a writ in the nature of Mandamus directing the respondents to release the service-cum-retirement benefits of the deceased husband of the petitioner such as provident fund, gratuity, leave encashment, dearness allowance installments, arrears of revised pay scale of 01.01.2006 and all other benefits along with interest on delayed payment for which legal notice (P-2) has also been served.

2. The contention of learned counsel for the petitioner is that the husband of the petitioner was serving in Municipal Council, Abohar and died on 22.04.2017 while in service. After the death of her husband, when service-cum-retirement dues were not released, petitioner served a legal notice dated

26.12.2017 (P-2), which has already been forwarded to respondent No.4 by respondents No.2 and 3 vide letters dated 10.01.2018 and 04.01.2018 (Annexures P-3 and P-4 respectively) for taking necessary action but despite the fact that a period of three months has expired, no action has been taken.

3. Learned counsel for the petitioner further submits that petitioner feels satisfied in case direction is issued to respondent No.4 to decide aforesaid legal notice in a time bound manner.

4. Instant petition is disposed of with a direction to respondent No.4- Executive Officer, Municipal Council, Abohar, District Fazilka to look into the grievances unfolded by the petitioner in legal notice dated 26.12.2017 (P-2) and to decide the same in accordance with law within a period of three months from the date of receipt of a certified copy of this order.

5. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authorities, she shall be at liberty to have recourse to the remedies available under law as well as to approach this Court.

APRIL 06, 2018

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**(JASPAL SINGH)
JUDGE**

whether speaking/reasoned : yes

whether reportable : yes/no