

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 687 of 2019

Date of Decision : 14.01.2019

Parkash

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naresh Kumar Manchanda, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

The present writ petition has been filed by the petitioner seeking the retiral benefits in respect of the service which the deceased husband of the petitioner had rendered with the Municipal Council, Ferozepur.

As per the averments made in the writ petition, husband of the petitioner retired on 30.04.2018 after attaining the age of superannuation and after the retirement, the husband of the petitioner was entitled for his pensionary benefits, the detail of which has been given in para 6 of the petition.

Learned counsel for the petitioner states that only a sum of ₹5,50,000/- was paid to the husband of the petitioner but the rest of the amounts were not paid without any cogent reason despite the fact that there was no impediment for release of the same. It has further been contended that unfortunately, husband of the petitioner died on 03.11.2018 and hence,

the present writ petition has been filed praying for release of the retiral benefits for which husband of the petitioner was entitled for alongwith interest.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 24.09.2018 (Annexure P-5) which is still pending consideration and the petitioner will be satisfied, at this stage, in case a time bound direction is given to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass appropriate speaking order on the claim raised by the petitioner in the legal notice dated 24.09.2018 (Annexure P-5) within a period of three months from the date of receipt of certified copy of this order.

In case after the order, it is found by the respondents that the petitioner is entitled for any monetary benefits, the same should also be released to her within a period of next three months.

The writ petition stands disposed of.

January 14, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes*
Whether reportable? *No*