

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-1156-2019 (O&M)
Date of Decision: 17.01.2019

Rajbir Kaur & another

--Petitioners

Versus

Union of India & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. G.S. Chahal, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

It has been averred that both the petitioners are residents of village Jhambali Sani, P.O Ramgarh which falls under the Post Office Bhadson, Tehsil Nabha, District Patiala. The Village Post Master of village Ramgarh used to collect deposits from the residents of the village and deposit the same with the Post Master, Bhadson. In this regard saving bank pass books duly stamped with the seal of the department were also issued.

Petitioners claim that they had deposited their savings from time to time with the Village Post Master, Post Office, Ramgarh and were issued saving bank pass books from the office of Post Master, Bhadson. The total amount deposited by both the petitioners in the afore-noticed manner is stated to be Rs.10 lakhs.

Counsel submits that the Village Post Master of Ramgarh, Swaran Singh committed suicide on 13.10.2017. The petitioners at that point of time having approached the Post Master, Bhadson were informed that certain pass books are fake and even the entries contained in some other pass books were not correct. The petitioners were called upon to get their statements recorded before the Post Master, Bhadson. In spite of recording

of statements no further action was being taken and which constrained the petitioners to approach the higher authorities i.e. the Assistant Superintendent, Post Office (West), Patiala Division, Patiala. It is the contention made by counsel that such higher authority duly endorsed the receipt of the pass books for purposes of verification and also received the copies of the statements that were got recorded of the petitioners before the Post Master, Bhadson.

Counsel submits that till date the matter is hanging fire and no final decision with regard to the claim of the petitioners has been taken.

Prayer in the instant writ petition is for issuance of a Writ of Mandamus for directing the respondent-postal authorities to release the amount of the petitioners that had been deposited in the shape of term deposits to the tune of Rs.10 lakhs.

Having heard counsel for the petitioners at length, this Court is of the considered view that the prayer made in the instant petition cannot be accepted.

The writ petition raises questions of fact. That apart, it is the case of the petitioners themselves that the higher postal authorities are seized of the matter and the entire issue is still under examination/investigation.

In view of the above, while declining to interfere, the writ petition is disposed of with a direction to respondent no.2 i.e. the Chief Post Master General, Punjab Circle, Sector 17, Chandigarh to examine the claim of the petitioners and to thereafter take a decision in the matter expeditiously and as mandated in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.01.2019

lucky

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No