

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

(113)

CWP-7674-2019

Date of Decision: March 20, 2019

Sunita Devi

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Surinder Garg, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the prayer of the petitioner is for releasing the benefits for which her husband was entitled for. The husband of the petitioner was working with the respondents as a Safai Sewak and unfortunately, while in service, he died on 28.02.2017.

The petitioner contends that after the death of her husband, all the benefits for which the petitioner is entitled for, has not been paid so far. Only a sum of Rs. 3 lacs have been paid that too without any classification as to on what account the same has been paid.

Learned counsel for the petitioner states that still a sum of Rs. 3 to 4 lacs is due from the respondent-Municipal Council.

Learned counsel for the petitioner further 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 09.02.2019 (Annexure P-2) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice dated 09.02.2019 (Annexure P-2) by passing an appropriate speaking order.

Learned counsel for the petitioner further states that inadvertently, all the amount could not been mentioned in the legal notice and prays that he be allowed to file supplementary pleas with the respondents, which may also be taken into consideration by the respondents while deciding the claim of the petitioner.

Learned counsel for the petitioner undertakes that the supplementary representation/legal notice will be given by the petitioner within a period of one week from today and the respondents be directed to decide the claim of the petitioner thereafter.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 09.02.2019 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 09.02.2019 (Annexure P-2) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to her within three months thereafter.

March 20, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No