

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 9091 of 2019

Date of Decision : 04.04.2019

Shakuntla Devi

...Petitioner

Versus

The State of Haryana and another

...Respondents

**CORAM:** *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Balraj Gujjar, Advocate for the petitioner.

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**Harsimran Singh Sethi, J.(Oral)**

Learned counsel for the petitioner states that the son of the petitioner was working with the Department of Health, Government of Haryana and while on service, he died on 13.07.2009. Though at the time of death, son of the petitioner was married but his widow, namely, Pooja left the matrimonial house and got remarried. Thereafter, petitioner filed a petition for being declared as a successor under the Indian Succession Act, 1925, which suit was allowed by the competent Court of Law on 18.01.2017/06.06.2017, wherein the petitioner was held entitled for the amount of ₹12,77,226/-, which was payable to the legal heirs after the death of the son of the petitioner.

Learned counsel for the petitioner further states that though all the formalities already stood complied but the benefits for which the petitioner has been declared eligible, are not being released by the

respondents. 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 13.03.2019 (Annexure P-5) 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 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 relief claimed 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 an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 13.03.2019 (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.

**April 04, 2019**  
*kanchan*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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