

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

(131)

CWP-9406-2019

Date of Decision: April 08, 2019

Santosh

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ram Niwas Sharma, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioner states that one Sh. Balwan Singh who was junior to the husband of the petitioner, was given the benefit of retrospective promotion w.e.f. 13.09.1995 therefore, the husband of the petitioner who was in service on the said date, also becomes entitled for the said benefit of promotion as Assistant from the same date.

The present writ petition has been filed claiming that once the said benefit is extended to the late husband of the petitioner, the petitioner will be entitled for higher financial assistance under the Financial Assistance Rules after the death of her husband.

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 21.11.2018 (Annexure P-9) which is still pending consideration with the respondents 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 21.11.2018 (Annexure P-9) by passing an appropriate speaking order.

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 21.11.2018 (Annexure P-9), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 21.11.2018 (Annexure P-9) 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.

April 08, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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