

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 10912 of 2019
Date of Decision : 02.05.2019

Paramjit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Aman Bansal, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim of the petitioner is that she is the legally wedded wife of Pargat Singh, who was working with the respondents as a Meter Reader, who, unfortunately, died on 16.09.2016. Petitioner is claiming the benefits after the death of her husband in respect of the service rendered by him with the respondents.

From the pleadings, it transpires that respondent No. 6 Kiranjit Kaur also raised a claim in respect of the benefits of the service rendered by deceased Pargat Singh on the ground that she is the wife of said Pargat Singh. In fact, respondent No. 6 Kiranjit Kaur alongwith her son filed a writ petition being CWP No. 27957 of 2018, which was disposed of by this Court on 31.10.2018 directing the respondent-Corporation to decide the claim of Kiranjit Kaur by passing an appropriate speaking order on the legal notice dated 04.07.2018 served by her within a period of three months from the receipt of certified copy of the said order.

Learned counsel for the petitioner herein states that though the Competent Court of Law while deciding the claim under the Motor Accidents Claims has already held that Kiranjit Kaur has not been able to

substantiate her claim for the benefits and rejected her claim of being the legal representative of deceased Pargat Singh, still the respondent-Corporation is not deciding the claim and has kept the same pending, which is causing prejudice to the petitioner as she is being denied her legitimate right to claim the amount in respect of the service rendered by her late husband Pargat Singh.

Learned counsel for the petitioner states that as the petitioner has also served upon the respondents a legal notice dated 15.03.2019 (Annexure P-8), respondents be directed to decide the said legal notice alongwith notice sent by respondent No. 6 Kiranjit Kaur while deciding her claim as directed by this Court vide order dated 31.10.2018 (Annexure P-7) passed in CWP No. 27957 of 2018.

Learned counsel for the petitioner states that till today, the claim of respondent No. 6 Kiranjit Kaur has not been decided by the respondents in pursuance to the direction given by this Court dated 31.10.2018 mentioned above.

Without going into the merits of the case or the claim made by the petitioner in the present writ petition, respondents No. 1 to 5 are directed that the claim which has been made by the petitioner in the legal notice dated 15.03.2019 (Annexure P-8), be decided alongwith the claim being raised by respondent No. 6 Kiranjit Kaur claiming the benefit in respect of the service rendered by Pargat Singh.

May 02, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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