IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 12428 of 2019
Date of Decision : 13.05.2019

Smt. Phool Pati

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: None for the petitioner.

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Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the claim of the petitioner is for the grant of interest on the delayed release of the retiral benefits, which were paid to the petitioner in respect of the service rendered by her late husband, namely, Sh. Kuldeep Singh.

It has been averred that husband of the petitioner, unfortunately, died on 19.01.2016 but after his death, the benefits were not released to the petitioner immediately due to the pendency of certain proceedings, though upon the death of an employee, the proceedings should have been closed.

Petitioner prays that as the benefits were delayed due to the said act, which was contrary to the settled principle of law, therefore, petitioner is entitled for interest on the delayed payments.

From the record, it transpires that the petitioner has served upon the respondents with a legal notice dated 22.12.2018 (Annexure P-3), which is still pending consideration with the respondents.

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Keeping in view the advance notice given, Mr. C.S. Bakhshi, Additional Advocate General, Haryana appears on behalf of the respondent-State.

In the facts and circumstances of this case, the interest of justice will be served in case a time bound direction is given to the respondents to decide the legal notice of the petitioner dated 22.12.2018 (Annexure P-3) by passing an appropriate speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the claim prayed 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 22.12.2018 (Annexure P-3) 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.

Writ petition stands disposed of in above terms.

May 13, 2019 **(HARSIMRAN SINGH SETHI)**
kanchan **JUDGE**

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

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