

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20455 of 2019

Date of decision: 25.07.2019

Chanderwati

.... Petitioner

versus

State of Punjab and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Virinder K. Shukla, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J.

Counsel for the petitioner states that the husband of the petitioner, who was working with the respondents as Safai Karamchari since 15.5.1979, unfortunately died while in service on 07.05.2014. Counsel for the petitioner argues that after the death of her husband, the petitioner has not been extended the benefits of service, which her late husband rendered with respondent No.3. He further argues that neither gratuity, nor leave encashment and ex-gratia has been released to the petitioner so far and the only reason which is being cited by the respondents is paucity of funds, which is not valid justification, keeping in view the law laid down by the Division Bench of this Court in **Ram Karan vs. Managing Director, Pepsu Road Transport Corporation and another 2005(3) PLR 580.**

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice dated 03.06.2019 (Annexure P-1), 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 said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 03.06.2019 (Annexure P-1) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

25.07.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |