

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 25989 of 2016
Date of Decision : 01.02.2019

Raj Rani

...Petitioner

Versus

Punjab Water Resources Management and Development Corporation
Limited and others

...Respondents

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

Present: Mr. Vinod Kumar Kaushal, Advocate for the petitioner.

Mr. Ankit Midha, Advocate for respondents No. 1 to 3, 5 and 6.

Ms. Deepali Puri Sandhu, Addl. A.G., Punjab
for respondent No. 4.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, the grievance which has been raised by the petitioner is that her husband, who was working as a Mechanic with the respondent-Corporation, died on 23.01.2011, while in service. Despite the fact that the petitioner became entitle for the death-cum-retiral benefits, the same were not released to her.

Learned counsel for the petitioner contends that the dues were only released in December, 2011 and February, 2013 and, therefore, the petitioner becomes entitled for the interest on the said delayed release of the pensionary benefits. In support of his contentions, he relies upon the judgment of a Full Bench of this Court in the case of *A.S. Randhawa Vs.*

State of Punjab, 1997 (3) SCT 468.

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 15.09.2016 (Annexure P-2) 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.

Learned counsel for respondents No. 1 to 3, 5 and 6 has no objection to the prayer made by learned counsel for the petitioner to decide the legal notice in a time bound manner.

In view of the above, the present writ petition is disposed of with a direction to respondent No. 3 to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 15.09.2016 (Annexure P-2) within a period of three months from today.

In case it is found that the petitioner is entitled for the release of interest as being claimed, the same should also be released to her within a period of next one month.

However, it is made clear that this Court makes no observation in respect of the merits of the case and the entitlement of the petitioner as being claimed in the present writ petition at this stage.

February 01, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

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