

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

CWP-24842-2019

Date of decision: - 09.09.2019

Yashoda Devi

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. K.B. Sharma, Advocate
for Mr. D.R. Sharma, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner submits that late husband of the petitioner, namely, Sh. Baldev Ram was working as a Peon with the respondents. The said Sh. Baldev Ram joined the department in the year 1966 and worked upto October, 1983, after which due to illness, he did not attend the office. Further, on account of absence from duties, late husband of the petitioner was issued a charge-sheet in the year 1986 and the said charge-sheet remained pending till 03.12.2000 when unfortunately, husband of the petitioner died.

Counsel for the petitioner argues that as upto the date of death of the husband of the petitioner, no action was taken by the respondents in respect of the said charge-sheet dated 08.09.1986, the proceedings elapsed and petitioner became entitled for the grant of the benefit in respect of the service rendered by her late husband including

the family pension.

Counsel for the petitioner further argues that the benefit of the service, which late husband of the petitioner had rendered with the respondents upto the date of death, has not been given to the petitioner on the ground that the matter is pending consideration with the respondents as to how the period from the year 1983 till the death of the husband of the petitioner is to be treated and for the last 19 years, no benefit has been extended to the petitioner despite the fact that late husband of the petitioner had more than 10 years of service to his credit even upto the year 1983, since when he remained absent.

Counsel for the petitioner prays that a direction be issued to the respondents to grant the petitioner the benefit of the service which her late husband had rendered including the family pension from December, 2000 onwards alongwith arrears and interest.

Counsel for the petitioner states that at present the petitioner will be satisfied in case a time bound direction is issued to respondent No.2 to decide the case of the petitioner for the grant of pensionary benefits in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to take appropriate decision on the claim of the petitioner for the grant of pensionary benefits in respect of the service rendered by her late husband, by passing appropriate 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 three months thereafter.

Present writ petition stands disposed of.

September 09, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No