

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-33744 of 2019

Date of decision: 20.11.2019

Smt Raj Bala

.... Petitioner

versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Naveen Daryal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

Learned counsel for the petitioner argues that the benefits in respect of the service rendered by the late husband of the petitioner, namely, Shri Satpal have not been released in favour of the petitioner without any valid justification. Learned counsel for the petitioner argues that Shri Satpal had already retired from service on attaining the age of superannuation on 30.04.2014 but the benefits, for which, Satpal was entitled including regular pension were not released. Counsel further argues that the retiral benefits were withheld by the respondents due to some shortage in the material, which was being attributed to the late husband of the petitioner, who unfortunately died on 26.06.2017. Counsel for the petitioner further argues that no proceedings were ever initiated against Shri Satpal by the respondents during his service period or even after his retirement for shortage, which was being attributed to him and, therefore, once there were

no proceedings, which have ever been initiated by the respondents against husband of the petitioner, withholding of benefits by the respondents is without any jurisdiction. Prayer of the petitioner is to issue direction to the respondents to release the pensionary benefits of the petitioner along with interest forthwith.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has served the respondents with legal notice dated 29.09.2018 Annexure (P/6), 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 respondent No.2 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 respondent No.2 is directed to decide the legal notice dated 29.09.2018 Annexure (P/6) 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

20.11.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |