

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.35759 of 2019
DATE OF DECISION:10.12.2019

Smt. Tara Devi

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None.

HARSIMRAN SINGH SETHI, J. (ORAL)

As per the averments made in the present writ petition, the late husband of the petitioner was working as a sweeper with the respondent-department since 14.03.1990 and he remained in the service of the respondent-department till he unfortunately died in harness on 05.08.2007.

The grievance of the petitioner is that all the benefits in respect of service rendered by her late husband, have not been released to the petitioner and even the benefits, which have been released to the petitioner were delayed by the respondents and, therefore, the petitioner is entitled for the release of all the benefits in respect of the service rendered by her late husband as well as interest on the said delayed payments.

The prayer of the petitioner is for issuance of a direction to the respondents to release all the benefits to the petitioner in respect of the service rendered by her late husband and also grant the petitioner interest on the delayed release of the benefits.

From the pleadings, it transpires that for the relief which

has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 22.12.2018 (Annexure P-2), 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 dated 22.12.2018 (Annexure P-2) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by her in the legal notice dated 22.12.2018 (Annexure P-2), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 22.12.2018 (Annexure P-2) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision of the legal notice, the same should also be paid to her within three months thereafter.

December 10, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes / No
Whether reportable : Yes / No