

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

**CWP No.36950 of 2019 (O&M)
Date of decision : December 19, 2019**

Raj Bala Petitioner

Versus

State of Haryana and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the husband of the petitioner, who was working with respondents as T-mate, unfortunately died while in service on 21.12.2000 but the benefit of family pension and other benefits, accruing in respect of the service rendered by the late husband of the petitioner are not being released to the petitioner on the ground that there was no record that the petitioner was the legally wedded wife of deceased Moman Ram.

Learned counsel for the petitioner further states that keeping in view the representation filed by the petitioner in March, 2015, the claim of the petitioner was accepted by the respondents that after the death of her husband, the petitioner was entitled for grant of family pension and other benefits and same were only released to her on 28.04.2015.

Learned counsel for the petitioner states that the payment of ₹7,49,247/- which was released to the petitioner on 28.04.2015 was released after a delay of 15 years, for which the petitioner is entitled for interest as the said delay is only attributed to the respondents. Prayer of the

petitioner is for issuance of a direction to the respondents to grant benefit of interest on the delayed payment of ₹7,47,247/- w.e.f. the date the said amount became due i.e. 21.12.2000 till the amount was released to the petitioner i.e. 28.04.2015.

Counsel for the petitioner states that for the relief which has been claimed in the present writ petition, petitioner has served a legal notice dated 19.09.2018 (Annexure P-6) upon the respondents, 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 same by passing an appropriate speaking order in accordance with law.

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 19.09.2018 (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

December 19, 2019

sarita

Whether speaking / reasoned Yes

Whether Reportable: No