

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

**CWP No.36938 of 2019 (O&M)
Date of decision : December 19, 2019**

Lakhpati

..... Petitioner

Versus

Punjab State Power Corporation Limited and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. P.K.S. Phoolka, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the husband of the petitioner, who was working as ALM with the respondents-Corporation went missing on 23.08.1994 and thereafter, has not been traced so far. Counsel states that in the year 1998, the petitioner was paid ex-gratia amount of ₹20,000/- and thereafter, in the year 2008, a sum of ₹3,00,000/- was paid to the petitioner without giving any details of the amount, under which head, the same were given to the petitioner.

Learned counsel for the petitioner further states that the petitioner is being granted the benefit such as leave encashment and gratuity of family pension @ ₹9,200/- per month but the petitioner is entitled for special family pension at higher rate.

Learned counsel for the petitioner states that the grievance of the petitioner is that no benefit such as leave encashment and gratuity in respect of the service, which the husband of the petitioner had rendered with the respondents-Board (now Corporation) has been extended to her. Prayer of the petitioner is for issuance of a direction to the respondents-

Corporation for release of the benefit to the petitioner in respect of the service rendered by her husband.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, petitioner has served a legal notice dated 30.10.2019 (Annexure P-1) 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 respondent No.1 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, respondent No.1 is directed to decide the legal notice dated 30.10.2019 (Annexure P-1), 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 him 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