

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

CWP-37110-2019

Date of decision: - 19.12.2019

Shashi Bhogal

....Petitioner

Versus

The Punjab State Power Corporation Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. R.K. Arora, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

The claim in the present writ petition is that petitioner is entitled for the interest on the delayed release of the benefits for which she became entitled after the death of her husband, namely, Sh.Jagmohan Bhogal.

Learned counsel for the petitioner argues that husband of the petitioner died on 17.10.2009 while in service, but the benefits in respect of the service, which her husband had rendered, were only paid to her in February, 2016 i.e. after a delay of more than six years and therefore, as the delay is attributable to the respondents in releasing the benefits, petitioner is entitled for the grant of interest on the said payments keeping in view the law laid down by the Full Bench of this Court in A.S. Randhawa Vs. State of Punjab and others, 1997(3) SCT 468. Further, prayer of the petitioner is that as her husband died while in service, she was entitled for the ex-gratia amount, which though has already been sanctioned

by the respondents, but actual payment has not been released to her so far. Prayer of the petitioner is for issuance a direction to the respondent-Corporation to release the interest on the amount, which has been released to her after a delay of more than six years and also release the ex-gratia amount, which has already been sanctioned by the respondents, forthwith.

Counsel for the petitioner states that for the relief, which is being claimed by the petitioner in the present writ petition, petitioner has submitted a representation dated 13.05.2019 (Annexure P-11) to respondent No.2, which is still pending consideration with respondent No.2 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 representation.

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 decide the representation dated 13.05.2019 (Annexure P-11) 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
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Whether reasoned/speaking?	Yes
Whether reportable?	No