

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

**CWP No.1362 of 2020 (O&M)
Date of decision : January 20, 2020**

Smt. Lally

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. G.S. Sandhu, Advocate for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner states that the husband of the petitioner, namely, Sham Lal, who was working as Sweeper with the Municipal Council, Kotakpura, unfortunately died while in service on 20.04.2015 but all the benefits for which the petitioner, who is wife of Late Shri Sham Lal is entitled for have not been released to her and without too any valid justification.

Learned counsel for the petitioner further states that the benefits of gratuity, ex-gratia and leave encashment as well as GIS and provident funds are still to be released by the Municipal Council, Kotakpura to the petitioner, which is being withheld by the respondents without any valid justification. Prayer of the petitioner is for issuance of a direction to the respondents for release of all the benefits for which she is entitled in respect of the service rendered by her late husband Shri Sham Lal, forthwith along with interest.

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 11.09.2019 (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.3 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.3 is directed to decide the legal notice dated 11.09.2019 (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 her within a period of next three months.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

January 20, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No