

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

**CWP No. 8679 of 2020
Date of decision: 23.09.2020**

Taranjeet Kaur

...Petitioner

Versus

State of Punjab and others

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Satnam Singh Thakur, Advocate
for the petitioner.

Ms. Kanica, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this writ petition is for issuance of a writ in the nature of Mandamus directing the respondents to grant family pension to the petitioner along with interest @ 12% per annum.

As per the claim of the petitioner, her husband Narinder Singh was appointed as a Panchayat Secretary on 17.07.1996 and his services were regularized on 25.11.2003. He died on 15.12.2011 during service and, therefore, he is entitled to pensionary benefits along with interest.

Learned counsel for the parties are *ad idem* that at this stage, a direction may be issued to respondent No.2-the Director-cum-Special Secretary to Govt. of Punjab, Department of Rural Development and Panchayat to decide the legal notice dated 17.03.2020 (Annexure P-5), served by the petitioner, in a stipulated time.

Learned State counsel submits that since the notice was given at a belated stage and there is no date given in the application (Annexure iP-3) regarding death of petitioner's husband, the legal notice could not be

decided so far.

On this, learned counsel for the petitioner submits that application (Annexure P-3) is part of the record of the Executive Officer, Panchayat Samiti, Rajpura and, therefore, there is no delay in the same.

After hearing learned counsel for the parties, without commenting on the merits of the case, the present petition is disposed of with a direction to respondent No.2-the Director-cum-Special Secretary to Govt. of Punjab, Department of Rural Development and Panchayat to decide the aforesaid legal notice (Annexure P-5) in accordance with law, preferably within a period of four months from the date of receipt of a certified copy of this order.

Before deciding the aforesaid legal notice, respondent No. 2 shall afford an opportunity of hearing to petitioner and verify the filing of application (Annexure P-3) from the record of Executive Officer, Panchayat Samiti, Rajpura.

23.09.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No