

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 12943 of 2020 (O&M)

Date of decision : 16.9.2020

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Harjit Kaur

.....Petitioner

vs.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. P.K. Goklaney, Advocate
for the petitioner.

Ms. Sunint Kaur, Assistant Advocate General, Punjab.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner Harjit Kaur, aged about 43 years, wd/o Resham Singh, resident of village and P.O. Sanghera, Tehsil and District Barnala, has brought the instant Civil Writ Petition under Articles 226/227 of the Constitution of India, against respondents i.e. State of Punjab through its Secretary, Department of Water Supply and Sanitation, Mini Secretariat Punjab, Chandigarh; Chief Engineer,

Department of Water Supply and Sanitation, Punjab, Nabha Road, Patiala; Deputy Director Administration, Department of Water Supply and Sanitation, Punjab, Nabha Road, Head Office, Patiala and Executive Engineer, Water Supply and Sanitation Division, Barnala, for issuance of appropriate writ in the nature of mandamus directing the respondents to release the family pension and other service/retiral benefits to the petitioner, in lieu of the services rendered by her deceased husband Resham Singh, who was working on daily wage basis and died on 18.5.2018, during service, having served the department for more than 27 years, besides craving for appointment of her son Amrit Pal Singh, in the department on compassionate basis, as per his qualifications.

Notice of motion in this case had been issued and State counsel has appeared for the respondents.

Learned counsel for the petitioner submits that he would be satisfied if a direction is issued to the respondents to consider the claim of the petitioner-plaintiff and take appropriate action in the matter within a fixed time frame.

Learned State counsel appearing for the respondents states that respondents would abide by any such order passed by this court.

Accordingly, keeping in view facts and circumstances of the case and in order to avoid unnecessary litigation between the parties, the present writ petition is disposed of directing the respondents to consider the claim of the petitioner and if it is found that some action in the matter is warranted then the needful be done within a period of

two months from the date of receipt of a copy of this order. For the purpose of consideration, this writ petition alongwith Annexures be treated as representation by the petitioner.

Since the writ petition is not being disposed of on merits, the petitioner may take recourse to the legal remedy, in accordance with law, in case she still feels aggrieved by the decision taken by the respondents on her representation.

16.9.2020
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No