

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

**CWP No.19517 of 2016 (O&M)
Date of decision : February 05, 2020**

Pawan Kumar Yakhmi

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. H.S. Saggu, Advocate for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

In the present writ petition, the grievance which is being raised by the petitioner is that the petitioner has not been released all the benefits, in respect of the services, which his late wife Smt. Janki Rani Malhotra had rendered with the respondents. The prayer of the petitioner is for issuance of a direction to the respondents to release all the benefits, in respect of the services, which his late wife had rendered with the Department of Education.

An affidavit was filed by the respondents on 27.01.2020 wherein, the respondents have stated that all the benefits for which Smt. Janak Rani Malhotra was entitled, has already been released and no further payment is pending. In the said affidavit, it has been stated that Smt. Janak Rani Malhotra was being paid 90% of the pension and the remaining 10%, will be released to the legal heirs, who are held entitled as successors to said Smt. Janak Rani Malhotra after they submit the succession certificate in that regard.

Learned counsel for the petitioner very fairly admits that as of now, the petitioner does not have any succession certificate in his favour to claim the remaining 10% of the pension but will approach the respondents

after he is held entitled for the release of the same by the competent Court of law.

Learned counsel for the petitioner also prays that though, the respondents have stated in the affidavit that all the payments have been released to the petitioner, for which he is entitled after the death of his wife but in case, any benefit is still to be released on account of which the petitioner becomes entitled for the release of more amount, the petitioner will file a representation with the respondents raising the said grievance.

Learned counsel for the respondents very fairly states that in case, any grievance is raised by the petitioner by filing any representation, the same will be disposed of within a period of three months from the date of receipt of the said representation by passing an appropriate order and in case, it is found that any benefit is to be released in pursuance of the said order, the same will also be released to the petitioner within a period of one month thereafter.

Learned counsel for the petitioner states that keeping in view the above, he does not press this petition any further and prays that the present writ petition be disposed of as having been not pressed.

Ordered accordingly.

It is made clear that the respondents will be bound by their statement as recorded above.

(HARSIMRAN SINGH SETHI)
JUDGE

February 05, 2020

sarita

Whether speaking / reasoned

Yes

Whether Reportable:

No