

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106) CM No. 2114-CWP-2020 in/and
CWP No. 543 of 2020
Date of Decision : 11.02.2020

Jaspal Kaur

....Petitioner

Versus

Chandigarh Administration and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Jagtar Kureel, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

CM No. 2114-CWP-2020

Present application has been filed to place on record the documents as Annexures P5 and P-6 respectively.

Application is allowed and documents as Annexures P-5 and P-6 respectively are taken on record.

CWP-543 of 2020

Learned counsel for the petitioner states that in the Pension Payment Order, the petitioner has already been recorded as wife of Sh. Banarsi Das and she has been held entitled for the benefits of family pension after the death of Sh. Banarsi Das. Learned counsel states that after the death of Sh. Banarsi Das, family pension is being paid to the petitioner but the death-cum-retiral gratuity for which late Sh. Banarsi Das was entitled upon the retirement, has not been released to the petitioner so far though, more than 4 years have elapsed after Sh. Banarsi Das had retired

from service on 31.10.2015. Learned counsel further states that there is no impediment in the release of the said benefits but still without any valid justification, the same are not being released.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, petitioner has served the respondents with a legal notice dated 06.09.2019 (Annexure P-5), 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 said legal notice by passing an appropriate speaking order in a time bound manner.

Keeping in view the advance copy given, Mr. J.S. Lali, Advocate appears on behalf of respondents No. 1 to 3 and raises no objection in respect of the prayer of the petitioner for directing respondent No. 3 to decide the legal notice in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioner, respondent No. 3 is directed to decide the legal notice dated 06.09.2019 (Annexure P-5) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Writ petition stands disposed of accordingly.

February 11, 2020
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*